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Monday, September 15, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 15, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisors Leal, Teng - 2.

Quorum present.

Supervisor Leal was noted present at 2:05 p.m.

Supervisor Teng was noted present at 2:05 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Medina, moved that the Journals of Proceedings for Monday, June 9, June 16, and June 23, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng, Yaki, Yee - 11.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, COPS, Muni Transit]
Ordinance appropriating \$300,000, Mayor, of the State funded Citizen's Option for Public Safety (COPS) for the Muni Transit Assistant Program (MTAP) for fiscal year 1997-98, providing for ratification of action previously taken. (Mayor)

File 101-97-6, Ordinance No.

(Fiscal Impact.)

Finally passed.

[Supplemental Appropriation, E-911 Project]
Ordinance appropriating \$7,529,000, Department of Telecommunications (911 Project), of public protection special revenue funds for the 911 Project and for the creation of seven (7) positions, for fiscal year 1997-98; placing \$4,500,000 on reserve; companion measure to File 102-97-4. (Mayor)

File 101-97-8, Ordinance No.

Finally passed.

[Annual Salary Ordinance Amendment]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance 1997-98), Department of Telecommunications and Information Services, reflecting the creation of seven (7) positions (Classes 1369L (1) Special Assistant X, 1370L (1) Special Assistant XI, 1372L (3) Special Assistant XIII, 1375L (1) Special Assistant XVI, 1376L (1) Special Assistant XVII); companion measure to File 101-97-8. (Mayor)

File 102-97-4, Ordinance No.

Finally passed.

[Settlement of Claim, NSF Design Subconsultant]

Ordinance approving the settlement of the City's claims against Rolf Jensen & Associates (RJA), fire alarm system design subconsultant for the new Sheriff's facility. (City Attorney)

File 46-97-9, Ordinance No.

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-97-7, Resolution No.

(Stop Signs - Establish

19th and Hampshire Streets, northeast and southwest corners, stopping 19th Street (makes this an all-way Stop);

23rd Street and Pennsylvania Avenue, all corners, stopping all approaches (makes this an all-way Stop);

North Point and Webster Streets, northwest and southeast corners, stopping Webster Street (makes this an all-way Stop).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Neighborhood Services Committee)

File 19-97-7, Resolution No.

(Diagonal (60-Degree Angle) Parking - Rescind

Washington Street, north side, between Davis and Battery Streets.

Green (Short-Term Loading) Zone, 9 a.m. - 10 p.m. Everyday - Establish

24th Street, north side, from the west property line of #4138 - 24th Street to 38 feet easterly (38-foot zone).

Green (Short-Term Loading) Zone, 9 a.m. - 11 p.m. Everyday - Establish

North Point Street, south side, from 98 feet to 125 feet east of Polk Street (27-foot zone at #977 North Point Street).

No Parking, 7 a.m. - 6 p.m., Except Sunday - Rescind

No Parking Anytime - Establish

Faxon Street, east side, from Ocean Avenue to 125 feet northerly (125-foot zone).

Residential Permit Parking Area "C" (2-Hour Time Limit, 8 a.m. - 9 p.m. Monday through Saturday) - Establish

Leavenworth Street, both sides, between Geary and Post Streets (600 block).

Residential Permit Parking Area "D" (4-Hour Time Limit, 9 a.m. - 5 p.m. Monday through Friday) - Establish

Surrey Street, both sides, between Chenery and Van Buren Streets (portions of the 200 and 300 blocks).

Residential Permit Parking Area "W" (1-Hour Time Limit, 8 a.m. - 6 p.m. Monday through Friday) - Establish

26th Street, both sides, between Bryant and York Streets (2900 block).

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9 a.m. - 6 p.m. Monday through Saturday) - Establish

29th Street, north side, from Church Street to 38 feet easterly (38-foot zone);

29th Street, south side, from Church Street to 38 feet westerly (38-foot zone);

Day Street, north side, from 36 feet to 74 feet east of Church Street (38-foot extension to existing meter zone);

Day Street, north side, from Church Street to 38 feet westerly (38-foot zone);

Day Street, south side, from Church Street to 18 feet westerly (18-foot zone);

Compact Car Parking Only - Establish

Church Street, west side, from 4 feet to 19 feet north of Day Street (15-foot zone, creating one additional meter stall);

Church Street, west side, from 99 feet to 114 feet north of Day Street (15-foot zone, at meter #1716.)

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Neighborhood Services)

File 20-97-6, Resolution No.

(Mid-Block Crosswalks - Establish

The Embarcadero at Market Street, westbound side, in front of the Ferry Building;

The Embarcadero at Pier 5, 500 feet south of Broadway;

The Embarcadero north of the Ferry Building, 280 feet south of Washington Street;

The Embarcadero south of the Ferry Building, 300 feet north of Mission Street.

Multiple Left turn lanes - Establish

The Embarcadero, northbound, at Broadway;

The Embarcadero, northbound, at Washington Street.

No Left turns - Establish

The Embarcadero, northbound, at the mid-block crosswalk located 300 feet north of Mission Street.

No Left turns or U-Turns - Establish

The Embarcadero, northbound and southbound, at Mission Street.

Left Lane must turn Left - Establish

Broadway, eastbound, at The Embarcadero.

Right Lane must turn Right - Establish

Broadway, eastbound, at The Embarcadero;

Clay Street, eastbound, at Davis Street;

Washington Street, eastbound, at The Embarcadero.

Tow-Away, No Stopping Anytime - Establish

The Embarcadero, east side, from 50 feet south of the extended south property line of Howard Street to 45 feet north of the extended north property line of Mission Street;

The Embarcadero, east side, from 530 feet to 700 feet north of the extended north property line of Mission Street (170-foot zone);

The Embarcadero, east side, from 95 feet south of the extended south property line of Washington Street to 20 feet north of the extended north property line of Broadway;

The Embarcadero, east side, from Harrison Street to 160 feet northerly (160-foot zone);

The Embarcadero, east side, from the extended south property line of Folsom Street to 75 feet north of the extended north property line of Folsom Street;

The Embarcadero, west side, from Howard Street to 320 feet northerly (320-foot zone);

The Embarcadero, west side, from Mission Street to 120 feet southerly (120-foot zone);

The Embarcadero, west side, from Mission Street to 310 feet northerly (310-foot zone).

Tow-Away, No Stopping, 7 a.m. - 9 a.m. and 3 p.m. - 7 p.m. Monday through Friday - Establish

The Embarcadero, east side, from 75 feet north of Folsom Street to 50 feet south of Howard Street;

The Embarcadero, east side, from Folsom Street to 170 feet north of Harrison Street;

The Embarcadero, west side, from Broadway to 310 feet north of Mission Street.

One-Way Street - Establish

Vidal Drive (frontage road), northbound, between Higuera and Acevedo Drives.

Tow-Away, No Stopping Anytime - Establish

4th Street, west side, between Clementina and Folsom Streets;

Columbus Avenue, north side, from Jones Street to 70 feet easterly (70-foot zone).

Tow-Away, No Stopping Anytime - Rescind

Church Street, east side, from 29th Street to 60 feet northerly (60-foot zone).)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Adopted

[Disaster Relief Funds]

Resolution authorizing the Director of the Mayor's Office of Emergency Services or his designee, the Controller and the Chief Assistant Controller to execute and file, on behalf of the City and County of San Francisco, certain documents relating to federal and state financial assistance under the Federal Disaster Relief Act, or federal assistance otherwise available from the President's Disaster Relief Fund and the State of California Natural Disaster Assistance Act program pertaining to the October 17, 1989 Loma Prieta Earthquake, and rescinding Resolutions 842-90 and 311-92. (Mayor's Office of Emergency Services)

File 270-97-3, Resolution No.

(August 4, 1997 - Consideration continued to September 15, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

NEW BUSINESS

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Liquor License Transfer, 4401 - 18th Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license from a liquor store at 498 Castro Street to Bazouzi's, a neighborhood market located at 4401 - 18th Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-27, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Grant of Easement, 750 Phelps Street]

Resolution authorizing the grant of an underground electric utility easement to Pacific Gas and Electric Company over City-owned property at 750 Phelps Street in San Francisco. (Real Estate Department)

File 82-97-2, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Negative Declaration, Air Quality Element]

Resolution adopting Final Negative Declaration, finding and determining that amending the General Plan by adopting the Air Quality Element will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Supervisors Teng, Newsom)

File 271-97-9, Resolution No.

(Negative Declaration adopted and issued June 11, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Air Quality Element of the General Plan]

Resolution approving amendments to the General Plan to incorporate the Air Quality Element as adopted by the Planning Commission; companion measure to File 271-97-9. (Supervisors Teng, Newsom)

File 217-97-9.1, Resolution No.

(Planning Commission Resolution No. 14421 adopted 7/17/97.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Mental Health Board, for a new three-year term ending January 31, 2000. (Rules Committee)

File 92-97-2, Resolution No.

(Chester F. Villalba, vice Phyllis Spanglet, Seat No. 50116, family member, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing alternate members to the Assessment Appeals Board. (Rules Committee)

File 92-97-36, Resolution No.

(Owen Brady, vice Fionda Ma, Seat No. 21004, Board No. 1, hearing officer, alternate position, resigned, for unexpired portion of three-year term ending September 6, 1999;

Steven A. Cox, vice Blayne Asher, Seat No. 21012, Board No. 2, hearing officer, alternate position, resigned, for unexpired portion of three-year term ending September 7, 1998;

Joseph A. Koman, vice Hayes D. Miles, Seat No. 21014, Board No. 2, hearing officer, alternate position, resigned, for unexpired portion of three-year term ending September 7, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) San Francisco v. Bank of America, S.F. Superior Court No. 968-484; (2) Janet C. Mangini v. R.J. Reynolds Tobacco Co., Case No. 939359; (3) People of State of California v. Philip Morris, et al, Case No. 980864; (4) Coalition for Economic Equity v. Wilson, United States District Court No. C96-4024, as permitted by Government Code Section 54956.9(a).

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recess

The Board recessed at the hour of 2:11 to convene in closed session. The Board reconvened at 2:51 p.m.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney concerning pending litigation as provided in the Government Code.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

File 41-97-3

(Total cost \$54,159.38.)

No speakers, hearing closed.

From the Department of Public Works

Adopted

[Assessment Costs, Sidewalk and Curb Repairs]

Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works)

File 41-97-3, Resolution No.

Report amended to delete five parcels as follows: 525 Melrose Avenue, 1067-69 Treat Avenue, 1175 Palou Avenue, 1451 Taylor Street and 145 Juanita Way.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, funding the "Foot" sculpture;
Michael Bellefontaine, contacting and AIDS reporting;
Christine Linnenbach, Sutro Tower antenna;
James Pye, Jr., son's incarceration;
Tomasita Miguel, Town Hall meeting regarding De Young;
Constance Buck, eviction of Jose Morales;
Whirlwind Dreamer, civil rights for the oppressed;
Jose Morales, eviction due to Owner move-in.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Proclaiming Hoang Taing Day]

Resolution commending Hoang Taing for her personal accomplishments, leadership and dedication to others and declaring August 24, 1997 be "Hoang Taing Day" in the City and County of San Francisco. (Supervisors Teng, Ammiano, Bierman, Katz, Brown)

File 4-97-33, Resolution No.

(August 25, 1997 - Introduced in Board for consideration on September 15, 1997.)

Adopted.

In connection with the above item, Supervisors Ammiano, Bierman, Katz, Brown requested to be added as co-sponsors.

[Commendation]

Resolution recognizing the various agencies that stepped forward to provide services and shelter to those families who lost their homes during the recent hotel fires. (Supervisors Yee, Medina, Ammiano, Bierman, Katz, Brown)

File 6-97-155, Resolution No.

(August 25, 1997 - Introduced in Board for consideration on September 15, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Ammiano, Bierman, Katz, Brown requested to be added as co-sponsors.

[Commendation]

Resolution commending Mr. Peter Franklin for his outstanding contributions to the field of sports talk radio and declaring Friday, August 29, 1997 Peter Franklin Day in San Francisco. (Supervisors Yaki, Ammiano, Bierman, Katz, Brown)

File 6-97-156, Resolution No.

(August 25, 1997 - Introduced in Board for consideration on September 15, 1997.)

Adopted.

In connection with the above item, Supervisors Ammiano, Bierman, Katz, Brown requested to be added as co-sponsors.

[Bicycle Funding - AB 1020]

Resolution urging the Senate Appropriations Committee to pass Assembly Bill No. 1020 to increase funding to the bicycle lane account in the state transportation fund and urging the Governor's support of the measure. (Supervisors Katz, Bierman, Newsom, Brown, Medina, Ammiano, Leal)

File 12-97-28, Resolution No.

(August 25, 1997 - Introduced in Board for consideration on September 15, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Ammiano, Leal requested to be added as co-sponsors.

[Acceptance of Gift from the City of Genova]

Resolution authorizing the City and County to accept the gracious gift of sculpted bas relief panels commemorating the voyage of Christopher Columbus from the City of Genova, Italy. (Supervisor Teng, Medina, Katz)

File 38-97-11, Resolution No.

(August 25, 1997 - Introduced in Board for consideration on September 15, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Katz requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.16

(August 25, 1997 - Introduced in Board for consideration on September 15, 1997.)

Adopted.

[Final Map, 1378 Waller Street]

Motion approving final map of 1378 Waller Street, a Residential Condominium Project, being a subdivision of Lot 14 in Assessor's Block No. 1244, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-23

(August 21, 1997 - Referred to Board for consideration on September 15, 1997.)

Adopted.

[Final Map, 229-8th Street]

Motion approving final map of 229-8th Street, a residential Condominium Project, being a subdivision of Lot 37 in Assessor's Block 3730, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-24

(August 27, 1997 - Referred to Board for consideration on September 15, 1997.)

Adopted.

[Final Map - 49 Missouri Street]

Motion approving final map of 49 Missouri Street, a Live/Work Condominium Project, being a subdivision of Lot 6 in Assessor's Block No. 3950, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-25

(September 5, 1997 - Referred to Board for consideration on September 15, 1997.)

Adopted.

[Open Studios Month]

Resolution declaring the month of October 1997 Open Studios Month in the City and County of San Francisco. (Supervisors Katz, Kaufman, Bierman, Leal, Brown)

File 4-97-34, Resolution No.

(September 10, 1997 Referred to Board for consideration on September 15, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman, Leal, Brown requested to be added as co-sponsors.

[Final Map, 2011 Third Street]

Motion approving final map of 2011 Third Street, a Live/Work Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 3994, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-26

(September 10, 1997 - Referred to Board for consideration on September 15, 1997.)

Adopted.

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Apartment Unit Conversion]

Substitute ordinance amending Administrative Code Sections 41A.4 and 41A.5 to increase the minimum rental term from daily to monthly, to clarify the prohibition of rentals to business entities and to allow interested parties to enforce the ordinance. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 097-97-034.

[Affordable Housing Bond Program]

Ordinance amending Administrative Code by adding Chapter 81 to describe the Affordable Housing and Homeownership Bond Program; companion measure to File 97-97-56.1. Supervisor Brown presented. Referred to Finance Committee.

File 097-97-056.

[Appropriation, Mayor, Bicycle Summit]

Ordinance appropriating \$10,000, from the General Fund Reserve for a professional services contract to plan and coordinate a San Francisco Bicycle Summit, for fiscal year 1997-98. Supervisors Yaki, Bierman presented. Referred to Finance Committee.

File 101-97-018.

[Safe and Affordable Housing Preservation]

Ordinance amending Planning Code by adding Section 207.3 to establish a 36-month amnesty period during which an additional dwelling unit constructed without a permit prior to January 1, 1997 in a single-family structure in an RH-1 or RH-2 zoning district can be legalized without complying with all current code requirements, by amending Sections 135, 140 and 161 to exempt legalized units from open space, light and air and off-street parking requirements, and by adding Section 369 to impose a registration fee to fund enhanced neighborhood parking and open space and allow the Planning Department to recover its application processing costs; amending the Housing Code, by amending Section 353 to require inspection of a single-family structure in an RH-1 or RH-2 zoning district prior to transfer of title, and by amending Section 503(a) to allow lower ceiling heights in legalized units; amending Building Code by amending Section 101.3 to allow some exceptions from local code requirements for legalized dwelling units, by amending Section 107.5 to exempt owners participating in the amnesty program from paying penalty fees in legalized units; adopting findings under Planning Code Section 101.1; companion measure to File 115-97-13. Supervisors Teng, Yaki, Kaufman, Brown, Katz, Medina, Ammiano, Yee presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-013.01.

[Illegal Unit Amnesty Program]

Ordinance amending Planning Code by adding Section 207.3 to establish a 24-month amnesty period during which one existing dwelling unit constructed prior to January 1, 1992 without permit and exceeding the number of dwelling units documented as of January 1, 1992 may be legalized in any RH-1, RH-2, RH-3, RM, RC, NC, C, or Mixed Use zoning district without complying with all code requirements, requiring a master list of legalized units and prohibiting the legalized unit from being converted to a condominium, by amending Sections 135, 140 and 161 to exempt legalized units from open space, light and air and off-street parking requirements; and by adding Section 369 to impose a registration penalty and authorize the Planning Department to recover its application processing costs; amending Administrative Code by amending Section 37.2 to subject legalized units to Rent Board jurisdiction and by amending Section 37.7 to prohibit pass-throughs of legalization costs; amending Housing Code by amending Section 351 to require a legalized unit to be identified on the building's 3R report with notice of the Rent Control restriction and by amending 503(a) to allow lower ceiling heights for legalized units; amending Building Code by amending Section 101.3 to allow exemptions from certain local code requirements, by amending Section 104.2.5 to require the owner to pay the city's costs in detecting and abating violations if a density violation is discovered after the expiration of the amnesty period, by amending Section 107.5 to exempt the owners of legalized units from penalty fees, and by amending Section 310.6.1 to allow lower ceiling heights for legalized units; adopting Planning Code Section 101.1 findings; companion measure to File 115-97-14. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-014.01.

[Appointment]

Resolution confirming the appointment of an alternate member of the San Francisco Bay Conservation and Development Commission. Supervisor Bierman presented. Referred to Rules Committee.

File 092-96-010.01.

Referred to Board

[Proclaiming Lion of Judah Day]

Resolution recognizing the women of the Lions of Judah for their generosity and dedication to the Jewish Community and proclaiming September 25, 1997 as Lion of Judah Day in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 004-97-035.

[Proclaiming Interactive Media Week and Summit]

Resolution declaring the first week of October 1997 Interactive Media Week in the City and County of San Francisco and recognizing the first-ever San Francisco Interactive Media Summit in February 1998. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 004-97-036.

[Proclaiming Immigrant History Day]

Resolution commending the Northern California Coalition for Immigrant Rights for its decade of dedication and service on behalf of immigrants and declaring September 20, 1997 as "Immigrant History Day." Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 004-97-037.

[Proclaiming Asian Employees Assoc. of PG&E Day]

Resolution commending the Asian Employees Association of Pacific Gas and Electric Company for its contributions to the community, its promotion of Asian culture and tradition and declaring September 12, 1997 as "Asian Employees Association of PG&E Day" in the City and County of San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 004-97-038.

[Proclaiming Street Artists Day]

Resolution commending the Art Commission and its Street Artists Program for their twenty-five year commitment to improving the quality of life for San Francisco and joining with the Art Commission and its Street Artists Program in recognizing and honoring the achievements of the street artists in a celebration of the twenty-fifth anniversary of the Street Artists Program and declaring September 20, 1997 as "Street Artists Day" in the City and County of San Francisco. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 004-97-039.

[Proclaiming Juana Briones Day]

Resolution honoring Juana Briones as the first woman settler of San Francisco, and commending the Women's Heritage Museum and the Bay Area Network of Latinas for their efforts to place a state history marker in her honor in Washington Square Park and declaring October 5, 1997 as Juana Briones Day in the City and County of San Francisco. Supervisors Leal, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 004-97-040.

[Commending Alpha Phi Alpha Fraternity]

Resolution commending the Gamma Lambda Chapter of Alpha Phi Alpha Fraternity for its distinguished record of fifty years of leadership and service in the San Francisco Bay Area. Supervisors Brown, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 006-97-157.

[Commending August Coppola]

Resolution commending August Coppola for years of creative vision and leadership. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 006-97-158.

[Commending the American Red Cross]

Resolution recognizing and commending the American Red Cross for their relief efforts to victims of San Francisco residential hotel fires and for ongoing community service. Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 006-97-159.

Referred to Committee

[Revocable Permit-Sutter Street Right-of-Way]

Resolution granting revocable permission to Regents of the University of California to install an underground telecommunications and pneumatic tube system within the Sutter Street right-of-way, to link a new medical office building at 1701 Divisadero Street (Block 1052, Lot 25) to the Mt. Zion Emergency Room at the Sutter Street frontage of 1600 Divisadero Street (Block 1077, Lot 27) and adopting findings pursuant to Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee

File 010-97-011.

Referred to Board

[Urging State Funding of ABC Personnel]

Resolution urging the California State Assembly's Appropriation Committee and Assemblywoman Carole Migden to appropriate funds to the San Francisco Office of Alcohol Beverage Control to allow for more personnel for enforcement. Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 012-97-029.

Referred to Committee

[Public Access Computer Terminal]

Resolution urging the Clerk of the Board to provide a computer terminal for public access to the virtual terminal for purposes of accessing legislative history. Supervisor Ammiano presented. Referred to Rules Committee.

File 054-97-009.

[Affordable Housing Bond Program Regulations]

Resolution approving regulations for the Affordable Housing and Homeownership Bond Program; companion measure to File 97-97-56. Supervisor Brown presented. Referred to Finance Committee.

File 097-97-056.01.

[Building and Housing Codes Findings]

Resolution endorsing those changes and providing findings as to the local conditions requiring changes to the State Building and Housing Codes for buildings, as required by California Health and Safety Code Section 17958.5 (safe and affordable housing preservation); companion measure to File 115-97-13.1. Supervisors Teng, Yaki, Kaufman, Brown, Katz, Medina, Ammiano, Yee presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-013.

[Building and Housing Codes Findings]

Resolution endorsing those changes and providing findings as to the local conditions requiring changes to the State Building and Housing Codes for buildings, as required by California Health and Safety Code Section 17958.5 (illegal unit amnesty program); companion measure to File 115-97-14.1. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-014.

[Grant, Juvenile Crime Enforcement]

Resolution authorizing the Juvenile Probation Department to accept and expend funds in the amount of \$100,000 from the State Board of Corrections under the Juvenile Crime Enforcement and Accountability Challenge Grant Program to develop and implement a local action plan to provide a continuum of responses to juvenile crime and delinquency. Supervisor Medina presented. Health, Family and Environment Committee.

File 141-97-004.

[Mid-Market Project Area Committee Election]

Resolution confirming the election of additional members to the Project Area Committee for the Mid-Market Redevelopment Project. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 161-97-004.01.

[Anti-Tobacco Advertising Funds]

Resolution accepting Anti-Tobacco Advertising and Education Funds made available in Janet C. Mangini v. R.J. Reynolds Tobacco Company, et al. Supervisor Kaufman presented. Referred to Finance Committee.

File 194-97-002.01.

Referred to Board

[Recycled Unbleached Paper Pilot Program]

Resolution requesting the Purchasing Department to provide the Board of Supervisors with a sufficient quantity of unbleached recycled paper to satisfy the Board of Supervisors' needs for internal paper use for a period of one month. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar September 22, 1997.

File 247-97-002.

Referred to Committee

[Surplus Vehicles]

Resolution directing the Department of Purchasing to donate the next available full-size one ton pickup truck from its surplus fleet of vehicles to the youth-run Sunrise Sidewalk Cleaners. Supervisor Leal presented. Referred to Economic Development, Transportation, and Technology Committee.

File 247-97-003.

Requests for Hearings:

[Voter Fraud Prevention]

Hearing to consider ways to minimize voter fraud in upcoming elections thus protecting the integrity of the elective process. Supervisor Ammiano presented. Referred to Rules Committee.

File 060-97-012.

[Moratorium on Cabaret Licenses]

Hearing to consider the neighborhood benefits of suspending the issuance of Cabaret Licenses for two years within the area bounded by O'Farrell Street to the south, Bush Street to the north, Van Ness Avenue (not including Van Ness Avenue) to the west, and Taylor Street to the east. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 110-97-001.

[Worker Adjustment and Retraining Act]

Hearing to ascertain the levels of compliance with the provisions of the Worker Adjustment and Retraining Act (WARN) within the City and County of San Francisco. Supervisors Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 171-97-001.

[Carpooling Sites in San Francisco]

Hearing to consider the feasibility of maintaining carpooling sites in San Francisco on an ongoing basis for the purposes of reducing City congestion and pollution with the Department of Parking and Traffic and other interested groups providing input. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 171-97-002.

[Violence Against Asian Pacific Americans Audit]

Hearing to review the 1996 Audit of Violence Against Asian Pacific American report in order to create a set of recommendations to allow San Francisco to address the growing problem of anti-Asian hate crimes. Supervisors Teng, Brown, Medina, Yaki, Yee, Leal, Bierman, Katz presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-005.01.

[Police Department Examination Cancellation]

Hearing to consider the recent events surrounding the cancellation of the Inspector's examination of the San Francisco Police Department. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 207-97-011.

[Presidio Environmental Remediation Plan]

Hearing to consider the Army's environmental remediation plan for the Presidio of San Francisco. Supervisors Yaki, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 251-97-002.

[Preparation For Winter Storms]

Hearing to consider the budgetary concerns, preparation, and coordination that the City and County is making due to heavier than expected rains due to the weather system known as El Nino with input from the Water Department, Public Works Department, Recreation and Park Department, Office of Emergency Services, Police Department, Public Utilities Commission and the Mayor's Homeless Coordinator. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 270-97-004.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-092. [Celestius Blair v. CCSF, et al.] Ordinance authorizing settlement of litigation of Celestius Blair against the City and County of San Francisco by the payment of \$347,277.51. (U.S. District Court No. C89-4176 WHO). (City Attorney) Referred to Rules Committee.

File 045-97-093. [Tropf v. CCSF, et al.] Ordinance authorizing settlement of litigation of Jagger Tropf by and through his Guardian Ad Litem, Richard Tropf against the City and County of San Francisco by payment of \$300,000. (Superior Court No. 979-723). (City Attorney) Referred to Rules Committee.

File 045-97-094. [Nancy Swan Leigh v. CCSF, et al.] Ordinance authorizing settlement of litigation of Nancy Swan Leigh against the City and County of San Francisco by payment of \$6,500. (Superior Court No. 978-477). (City Attorney) Referred to Rules Committee.

File 045-97-095. [Jeff Calhoun, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Jeff Calhoun against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 972-134) (City Attorney) Referred to Rules Committee.

File 045-97-096. [Pierre Merkl and David Baross v. CCSF] Ordinance authorizing settlement of litigation of Pierre Merkl and David Baross against the City and County of San Francisco by payment of \$10,500. (Also see File 46-97-1). (Superior Court No. 972-405). (City Attorney) Referred to Rules Committee.

File 045-97-097. [Rosetta Mullins v. CCSF, et al.] Ordinance authorizing settlement of litigation of Rosetta Mullins against the City and County of San Francisco by payment of \$16,000. (Superior Court No. 975-120). (City Attorney) Referred to Rules Committee.

File 045-97-098. [Olga Ruth Pena v. CCSF, et al.] Ordinance authorizing settlement of litigation of Olga Ruth Pena against the City and County of San Francisco by payment of \$7,000. (Municipal Court No. 133-105). (City Attorney) Referred to Rules Committee.

File 045-97-099. [Jay Tate, Jr. v CCSF, et al.] Ordinance authorizing settlement of litigation of Jay Tate, Jr. against the City and County of San Francisco by payment of \$17,500. (Superior Court No. 975-596). (City Attorney) Referred to Rules Committee.

File 045-97-100. [Yen X. To v. CCSF, et al.] Ordinance authorizing settlement of litigation of Xen X. To against the City and County of San Francisco by payment of \$12,500. (Superior Court No. 985-433). (City Attorney) Referred to Rules Committee.

File 045-97-101. [Aetna Casualty and Surety Corp. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Aetna Casualty and Surety Corporation (Insured: Harold Hotel), against the San Francisco Fire Department by payment of \$13,700. (Municipal Court No. 138-048). (City Attorney) Referred to Rules Committee.

File 045-97-102. [Filippo Togia v. CCSF, et al.] Ordinance authorizing settlement of litigation of Filippo Togia against the City and County of San Francisco by payment of \$101,000. (Superior Court No. 975-547). (City Attorney) Referred to Rules Committee.

File 045-97-103. [James Kemsey v. CCSF, et al.] Ordinance authorizing settlement of litigation of James Kemsey against the City and County of San Francisco by payment of \$400,000. (Superior Court No. 975-619). (City Attorney) Referred to Rules Committee.

File 045-97-104. [Antoinette Blue, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Antoinette Blue, et al. against the City and County San Francisco by payment of \$25,000. (Contra Costa Superior Court No. 95-04961). (City Attorney) Referred to Rules Committee.

File 045-97-105. [Eric Wozniak v. CCSF, et al.] Ordinance authorizing settlement of litigation of Eric Wozniak against the City and County of San Francisco by payment of \$51,920 plus 7% interest from date of settlement, March 12, 1997, to date of payment on claim. (Superior Court No. 970-243). (City Attorney) Referred to Rules Committee.

File 097-97-055. [Police Department Membership] Ordinance amending Administrative Code by amending Section 16.6-47.1 relating to Police Department memberships by adding specified organizations. (Police Department) Referred to Rules Committee.

File 101-97-017. [Appropriation, Dept. of Public Health] Ordinance appropriating \$10,665,000, Department of Public Health, from the sales of the bond fund proceeds for the purchase of building located at 2789 25th Street (CMED Building), for fiscal year 1997-98. (Also see File 84-97-3). RO #97099. (Controller) Referred to Finance Committee.

File 073-97-001. [Embarcadero-Lower Market Redevelopment Project] Substitute ordinance amending Ordinance No. 301-59, as amended, which approved the Redevelopment Plan for the Embarcadero-Lower Market (Golden Gateway) Project Area, and ordinances amending said Redevelopment Plan, namely ordinances numbered 208-61, 196-64, 194-64, 123-67, 204-68, 479-76, 476-86, 418-94 and 365-95 by further amending said Redevelopment Plan to merge the Embarcadero-Lower Market (Golden Gateway) Project Area into a Merged Redevelopment Project consisting of the South of Market Earthquake Recovery Redevelopment Project Area, the Embarcadero-Lower Market (Golden Gateway) Project Area and the Federal Office Building Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA); companion measure to Files 161-97-8, 73-97-2. (Redevelopment Agency). Referred to Board Committee of the Whole September 22, 1997, special order at 3:00 p.m.

File 073-97-002. [South of Market Earthquake Recovery Project] Substitute ordinance amending Ordinance No. 234-90, which approved the Redevelopment Plan for the South of Market Earthquake Recovery Redevelopment Project Area, and ordinances amending said Redevelopment Plan, namely ordinances numbered 431-94 and 364-95 by further amending said Redevelopment Plan to merge the South of Market Earthquake Recovery Redevelopment Project Area into a Merged Redevelopment Project consisting of the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area, and the South of Market Earthquake Recovery Redevelopment Project Area, and the Federal Office Building Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA); companion measure to Files 161-97-8, 73-97-1. (Redevelopment Agency) Referred to Board Committee of the Whole September 22, 1997, Special Order at 3:00 p.m.

File 161-97-008. [Federal Office Building Redevelopment Plan] Substitute ordinance approving and adopting the Redevelopment Plan for the Federal Office Building Redevelopment Project Area and merging said Redevelopment Plan with the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area and the South of Market Earthquake Recovery Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA); companion measure to Files 73-97-1, 73-97-2. (Redevelopment Agency) Referred to Board Committee of the Whole September 22, 1997, special order at 3:00 p.m.

Resolutions Referred to Committee

File 028-97-007. [Emergency Repair, Auxiliary Water Supply System] Resolution authorizing the San Francisco Fire Department to take necessary measures to protect the health and safety of the citizens of San Francisco by performing the necessary work to repair the Auxiliary Water Supply System (AWSS) main break on Fifth Street near King Street. (Fire Department) Referred to Finance Committee.

File 030-97-016. [Healthy Cities Project] Resolution supporting the San Francisco Health Cities: CHIPPS Senior Injury Prevention Collaborative Project. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 038-97-012. [Gift Acceptance, Pacific Gas and Electric Company] Resolution authorizing the Director of Public Works to accept and expend a gift contribution from Pacific Gas and Electric Company in the amount of \$87,000 to construct new gas and electric services for the 911/OES Emergency Communications Center. (Department of Public Works) Referred to Rules Committee.

File 048-97-061. [Settlement of Claim, Cora P. Hughes] Resolution approving the settlement of the unlitigated claim of Cora P. Hughes by payment of \$20,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-062. [Settlement of Claim, Myrtle Coleman] Resolution approving the settlement of the unlitigated claim of Myrtle Coleman by payment of \$7,042.21. (City Attorney) Referred to Rules Committee.

File 048-97-063. [Settlement of Claim, Anne Marie Senan] Resolution approving the settlement of the unlitigated claim of Anne Marie Senan/Geico Insurance Corporation by payment of \$10,192.08. (City Attorney) Referred to Rules Committee.

File 048-97-064. [Settlement of Claim, Heather Edmunds] Resolution approving the settlement of the unlitigated claim of Heather Edmunds by payment of \$6,000. (City Attorney) Referred to Rules Committee.

File 048-97-065. [Settlement of Claim, Chang Zeng] Resolution approving the settlement of the unlitigated claim of Chang Zeng dba Tung Fong Trading by payment of \$9,747.35. (City Attorney) Referred to Rules Committee.

File 048-97-066. [Settlement of Claim, Howard Johnson Hotel] Resolution approving the settlement of the unlitigated claim of Howard Johnson Hotel by payment of \$8,058.37. (City Attorney) Referred to Rules Committee.

File 048-97-067. [Settlement of Claim, State Farm Insurance] Resolution approving the settlement of the unlitigated claim of State Farm Insurance (Acker) by payment of \$6,623.63. (City Attorney) Referred to Rules Committee.

File 048-97-068. [Settlement of Claim, Stacy Lo] Resolution approving the settlement of the unlitigated claim of Stacy Lo (a minor) by payment of \$9,662.11. (City Attorney) Referred to Rules Committee.

File 061-97-004. [Contract Award Extension, MUNI Railway MR-1054] Resolution approving extension of time to award Municipal Railway Contract No. MR-1054 Curtis E. Green Light Rail Vehicle Facility - Replace Sand Dispenser. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

File 061-97-005. [Construction Contract Expenditure Increase] Resolution approving expenditure of funds exceeding ten percent of original contract amount, under San Francisco Water Department Contract WD-2199, repaving street and sidewalk openings for San Francisco Water Department for fiscal year ending June 30, 1997. (Public Utilities Commission) Referred to Finance Committee.

File 065-97-011. [Golden Gate Park Stables Inc. Lease Amendment] Substitute resolution approving a First Amendment to the lease between the City and County of San Francisco and the Golden Gate Park Stables, Inc. for the management and operation of the public stables in Golden Gate Park, which amendment clarifies the first paragraph of the lease; adds definitions of several terms; grants the Recreation and Park Commission the authority to amend the lease, with the exception of material changes that modify the legal description of the leasehold premises, increase the term of the lease, decrease the rent, decrease the financial value of the required improvements, increase the City's liabilities, or decrease the City's revenue; and adds new provisions required under City ordinance. (Recreation and Park Department) Referred to Finance Committee.

File 085-97-005. [Mid-Embarcadero Roadway Project] Resolution approving the final urban design treatment for the Mid-Embarcadero Roadway. (Also see Files 85-96-3 and 85-96-2). (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee with request it be considered at the September 16, 1997 meeting.

File 089-97-003. [SDI Coverage, Classification 9398] Resolution authorizing enrollment of classification(s) 9398 Manager, Regulatory and Environmental Affairs in the State Disability Insurance Program. (Department of Human Resources) Referred to Finance Committee.

File 100-97-005. [Transfer of Hetch Hetchy Surplus Fund] Resolution concurring with the Public Utilities Commission's fact finding that a fund surplus of \$45,703,273 exists in the utilities which can be transferred to the General Fund. (Public Utilities Commission) Referred to Finance Committee.

File 146-97-017. [State Grant, California Dept. of Health Services] Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$3,884.31, from the California Department of Health Services, to enhance departmental electronic communication capability; providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 146-97-018. [State Grant, Grief Support Training Program] Resolution authorizing the Department of Public Health, Public Health Division, Emergency Medical Services (EMS) Agency, to apply for retroactively and accept and expend a grant of \$44,000 from the State Emergency Medical Services Authority to provide for continuation of the Prehospital Grief Support Training Program; providing for ratification action previously taken. (Department of Public Health) Referred to Health, Family & Environment Committee.

File 146-97-019. [State Grant, Emergency Medical Services Authority] Resolution authorizing the Department of Public Health, Public Health Division, Emergency Medical Services (EMS) Agency, to apply for retroactively and accept and expend a grant of \$54,000 from the State Emergency Medical Services Authority, to provide for creation of a public education campaign on prompt recognition of stroke and rapid access of care through the 911 EMS system; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family & Environment Committee.

File 146-97-020. [Federal Grant, Department of Health/Human Services] Resolution authorizing the Department of Public Health, Public Health Division, Emergency Medical Services Agency (EMSA), to retroactively apply for and accept and to expend a grant in the amount of \$350,000 from the Department of Health and Human Services to provide for the development of a Metropolitan Medical Strike Team to respond to the potential use of nuclear, biological, or chemical weapons by terrorists; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Finance Committee.

File 172-97-058. [Prevailing Wage Requirements] Resolution exempting from prevailing wage provision of Charter Section A 7.204 contract between the San Francisco International Airport and the San Francisco Conservation Corps to perform vegetation and debris removal for the San Francisco International Airport. (Airport Commission) Referred to Finance Committee.

File 172-97-059. [Chapter 12B Waiver, Contracts] Resolution waiving the application of Administrative Code Chapter 12B to contracts for overnight delivery services for a period of six months. (Purchasing Department) Referred to Rules Committee.

File 172-97-060. [Modification - Litigation Consultant Contract] Resolution approving modification of the contract indemnity clause for consultant Ed Graf in the Seacliff Sinkhole/Yee v. CCSF matter. (Public Utilities Commission) Referred to Rules Committee.

File 262-97-007. [China Basin Ballpark, Off-site Parking Lease] Resolution approving and authorizing a ground lease agreement between City and County of San Francisco, through its Port Commission, as landlord, and China Basin Ballpark Company, LLC, as tenant, concerning the lease of real property located at Seawall Lot 337 and bounded generally by Terry A. Francois Boulevard, Mission Rock Street and Third Street, for the purpose of constructing and operating a surface parking lot to serve the new ballpark for the San Francisco Giants; adopting environmental findings pursuant to the California Environmental Quality Act; adopting findings that the lease is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; ratifying prior acts. (Port Commission) Referred to Finance Committee with request it be considered at the September 17, 1997 meeting.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Medina, that City Attorney prepare legislation that would suspend the issuance of Cabaret Licenses for two years, within the area bound by O'Farrell Street to the south, Bush Street to the north, Van Ness Avenue (not including Van Ness Avenue) to the west, and Taylor Street to the east.

By Supervisor Medina, that City Attorney prepare legislation to amend the Police Code to replace the title of the permit known as "Cabaret License" with one that more accurately reflects the permit's purpose.

By Supervisor Medina, that letter be sent to the Chief of Police requesting a report on the number of Alcohol Beverage Control Inspectors currently working in San Francisco, the number of liquor licenses in San Francisco, and the number of Inspectors the Police Chief feels are needed to adequately monitor these licenses.

By Supervisor Medina, that letter be sent to the Director of the Human Resources Department to inquire if the Human Resources Department has a strategy to assess the departmental needs for bilingual staffing.

By Supervisor Medina, that letter be sent to the Director of the Human Resources Department to inquire whether the goals of the City's Affirmative Action Plan have been met.

By Supervisor Medina, that letter be sent to the Budget Analyst requesting a report on the financial costs to the City incurred by the common practice of boat slip leasees subleasing their boat slips.

By Supervisor Teng, that letter of inquiry be sent to the Director of the Department of Public Works requesting the department identify new streets available and appropriate to be named in honor of Princess Diana and Mother Theresa.

By Supervisor Katz, that City Attorney and the Art Commission review the feasibility of a requirement that preference be given to local artists for art purchasing/acquisitions due to construction projects in the City and County of San Francisco.

By Supervisor Katz, that letter of inquiry be sent to the Director of the Public Transportation Department regarding the feasibility of installing turnstile fare collection gates that accept dollar bills, in addition to exact change, for MUNI riders at all MUNI stations due to the constant lack of operational change machines in MUNI stations (change machines continually out of service) and/or the possibility of MUNI adding working change machines.

By Supervisor Leal, that City Attorney prepare legislation amending Ordinance 138-95 which requires the reporting of departmental overtime expenditures which exceed 5 per cent of total budgeted straight-time wages or which reach \$100,000 annually or more in overtime wages. The legislation shall address the following issues: 1) that Departmental reports be submitted to the Budget Analysts's Office (with copies to the Board of Supervisors) on January 2 and May 1 of each year; 2) that reports include a) actual overtime expenditures vs. overtime budget for the previous fiscal year and b) year to date overtime expenditures and projections for the current fiscal year; 3) that the Budget Analyst's Office be required to report to the Finance Committee and the full Board within thirty days of the above referenced departmental reporting dates and 4) that the Budget Analyst's report shall include a) the Budget Analyst's ability to receive information from various departments and b) the status of overtime expenditures based on the information submitted.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Mother Theresa	(By the entire Board)
Princess Diana	(By the entire Board)
Eileen Maloney	(By the entire Board)
Marylou Gianniani	(By the entire Board)
Ian Warden	(By the entire Board)
Mulugeta Gerefä	(By the entire Board)

File 2-97-32

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:22 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 10, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, September 22, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 22, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Noted absent at first roll call:

Supervisors Bierman, Medina, Newsom, Yee - 4.

Quorum present.

Supervisors Bierman, Medina, Newsom and Yee Excused

The Clerk stated Supervisors Bierman, Medina, Newsom and Yee requested to be excused from attending today's meeting.

Supervisor Ammiano, seconded by Supervisor Yaki, moved to excuse Supervisors Bierman, Medina, Newsom and Yee from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journals of Proceedings for Monday, June 30 and July 7, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

CONSENT CALENDAR

Recommendation of Finance Committee

Adopted

[Lease of Property at 1372 Mission Street]
Resolution authorizing the renewal of an existing lease of real property at 1372 Mission Street, San Francisco, for the Department of Public Health. (Real Estate Department)

File 64-97-13, Resolution No. 875-97

Adopted.

Recommendation of Economic Development, Transportation
and Technology Committee

Adopted

[Gift Acceptance]

Resolution accepting the collection of historical artifacts in the Treasure Island Museum from the United States Navy. (Supervisor Kaufman)

File 38-97-5, Resolution No. 873-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[China Basin Ballpark - Off-Site Parking Lease]

Resolution approving and authorizing a ground lease agreement between the City and County, through its Port Commission, as landlord, and China Basin Ballpark Company LLC, as tenant, concerning the lease of real property located at Seawall Lot 337 and bounded generally by Terry A. Francois Boulevard, Mission Rock Street and Third Street, for the purpose of constructing and operating a surface parking lot to serve the new ballpark for the San Francisco Giants; adopting environmental findings pursuant to the California Environmental Quality Act; adopting findings that the lease is consistent with the City's General Plan and eight priority policies of City Planning Code Section 101.1; and ratifying prior acts. (Port)

File 262-97-7, Resolution No. 880-97

Supervisor Kaufman Excused from Voting

The Clerk announced that Supervisor Kaufman requested to be excused from voting because of a possible conflict of interest.

Supervisor Yaki, seconded by Supervisor Ammiano, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Leal, Teng, Yaki - 6.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$10,665,000, Department of Public Health, from the sales of the bond fund proceeds for the purchase of building located at 2789 25th Street (CMED Building), for fiscal year 1997-98, placing \$1,066,000 on reserve. (Mayor)

File 101-97-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Leal, Teng, Yaki - 6.

Absent: Supervisors Bierman, Kaufman, Medina, Newsom, Yee - 5.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$25,105,000, Recreation and Park Department, of 1992 Golden Gate Park Infrastructure Bond Fund proceeds for the reconstruction of park water supply and other utilities and features for fiscal year 1997-98, placing \$16,968,000 on reserve. (Mayor)

File 101-97-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Leal, Teng, Yaki - 6.

Absent: Supervisors Bierman, Kaufman, Medina, Newsom, Yee - 5.

Consideration Continued

[Regulation of Lobbyists]

Ordinance amending Administrative Code to: Broaden the definition of City officers to include members of the Board of Education, Community College Board, Housing Authority, Redevelopment Agency, and Transportation Authority; increase lobbyist registration fees to \$300 from \$35; increase lobbyist client fees to \$50 from \$15; increase late filing fees to \$25 per day from \$10 per day; and provide that whenever a lobbyist is required to report the salary of an employee who is also an officer of the City and County, the lobbyist need only disclose whether the total salary payment was less than or equal to \$250, greater than \$250 but less than or equal to \$1,000, greater than \$1,000 but less than or equal to \$10,000, or greater than \$10,000. (Ethics Commission)

File 97-97-35, Ordinance No.

(Amends Sections 16.523, 16.524, and 16.526.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to continue consideration to September 29, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

The President resumed the Chair.

Adopted

[General Obligation Refunding Bonds]

Resolution amending and restating Resolution No.93-94, which authorized the issuance of City and County of San Francisco General Obligation Refunding Bonds in one or more series in an aggregate principal amount not to exceed \$600,000,000. (Mayor Willie L. Brown, Jr., Supervisors Leal, Teng)

File 170-94-1.2, Resolution No. 857-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Federal Grant - Airport]

Resolution authorizing Airport Commission to file application, and accept and expend grant of \$10,701,632.00 from Federal Aviation Administration for assistance in improvements at the Airport (A.I.P. No. 97-01), placing \$8,561,632 on reserve. (Airport Commission)

File 27-97-9, Resolution No. 870-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

[Emergency Repair, Jersey Street Sewer Replacement]

Resolution approving retroactively the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Jersey Street between Diamond and Douglass Streets - \$129,611.15. (Public Utilities Commission)

File 28-97-4, Resolution No. 871-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

[Emergency Repair, 33rd Avenue Sewer Replacement]

Resolution approving retroactively the expenditure of funds for the emergency work to replace the structurally inadequate sewer on 33rd Avenue between Cabrillo and Fulton Streets - \$204,870. (Public Utilities Commission)

File 28-97-6, Resolution No. 872-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

[Lease of Property at 1540 Market Street]

Resolution authorizing the lease of real property at 1540 Market Street, Suites 160 and 190, for the Department of the Environment; subject to certain conditions. (Real Estate Department)

File 64-97-8, Resolution No. 874-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

[Golden Gate Park Stables Inc. Lease Amendment]

Resolution approving a First Amendment to the lease between the City and County and the Golden Gate Park Stables, Inc. for the management and operation of the public stables in Golden Gate Park, which amendment clarifies the first paragraph of the lease; adds definitions of several terms; grants the Recreation and Park Commission authority to amend the lease, with the exception of material changes that modify the legal description of the leasehold premises, increase the term of the lease, decrease the rent, decrease the financial value of the required improvements, increase the City's liabilities, or decrease the City's revenue; and adds new provisions required under City ordinance. (Recreation and Park Department)

File 65-97-11, Resolution No. 876-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

[Vehicular Access Rights, 25th/Clipper Streets]

Resolution authorizing the sale and exchange of vehicular access rights (modification of covenants, conditions, and restrictions) along Clipper Street to J.C. General Contracting Company, authorizing the Director of Property to execute an agreement for such sale and exchange, and adopting findings pursuant to City's General Plan and Planning Code Section 101.1. (Real Estate Department)

File 172-97-55, Resolution No. 878-97

(Planning Commission Motion 14377, adopted May 22, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

Recommendations of Economic Development, Transportation
and Technology Committee

Consideration Continued as Amended

[Alcohol Consumption]

Ordinance amending Police Code, to exempt from prohibition the consumption of alcohol at prescribed areas and times for which permission has been granted by the Department of Public Works pursuant to Article 5.2 of the Public Works Code, as set forth herein and urging other official action in connection therewith. (Supervisors Newsom, Kaufman, Medina, Teng, Ammiano, Bierman)

File 121-97-6, Ordinance No.

(Amends Section 21.)

Supervisor Yaki, seconded by Supervisor Teng, moved to amend page two, line 22, after "license" by inserting "or permit".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

Supervisor Leal, seconded by Supervisor Yaki, moved to continue consideration as amended to September 29, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

Request Granted

Supervisor Yaki requested that letter be sent to the Small Business Advisory Commission asking them to review the legislation and report back to the Board by September 29, 1997.

No objection and Clerk directed to comply.

Adopted

[Encroachment Permit, California Pacific Medical]

Resolution granting revocable permission to California Pacific Medical Center to construct two (2) four-inch PVC oxygen pipes in Maple Street between California Pacific Medical Center properties at 3700 California Street (Block 1016, Lot 1) and 3698 California Street (Block 1017, Lot 28) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 10-97-10, Resolution No. 868-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

[Mid-Embarcadero Roadway Project]

Resolution approving the final urban design treatment for the Mid-Embarcadero Roadway. (Department of Public Works)

File 85-97-5, Resolution No. 877-97

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to proposed acquisition of Lot Nos. 5 and 5A in Assessor's Block 3639 (23rd and Treat Streets) by eminent domain for the Open Space Program, and to adopt findings pursuant to City's General Plan and Planning Code Section 101.1.

File 84-97-4

(August 18, 1997 - The Board of Supervisors adopted Resolution No. 802-97 which approved amendments to the General Plan and incorporated by reference CEQA findings exempting this project from environmental review.)

(Exempt Status: General Rule Exclusion dated June 12, 1997.)

The privilege of the floor was granted to the following persons:

Speaking in support: Ena Aguirre; Linda Wilson; Shannon Dodge; Josue Guillen.

From Finance Committee Without Recommendation

Consideration Continued

[Acquisition by Eminent Domain, 23rd and Treat]

Resolution authorizing acquisition of Lot Nos. 5 and 5A in Assessor's Block 3639 (23rd and Treat Streets) by eminent domain for the Open Space Program, and to adopt findings pursuant to City's General Plan and Planning Code Section 101.1. (Supervisors Leal, Teng)

File 84-97-4, Resolution No.

Supervisor Leal, seconded by Supervisor Yaki, moved to continue consideration to September 29, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Katz, Kaufman, Leal, Teng, Yaki - 6

Absent: Supervisors Bierman, Brown, Medina, Newsom, Yee - 5.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to proposed ordinance adopting the Redevelopment Plan for the Federal Office Building Redevelopment Project Area and proposed amendments to Ordinance No. 301-59 and 234-90 to merge said Redevelopment Plan with the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area and the South of Market Earthquake Recovery Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA).

Files 161-97-8, 73-97-1, 73-97-2

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge the approvals of the above items in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.)

The privilege of the floor was grant to the following persons:

Speaking in support: Maria Ciprazo; Terry Nafisi, representing Chief Judge; Jim Haslem; Nathaniel Berkowitz; Norman Onaga; Pamela Duffy; Brett Gladstone.

Committee of the Whole Rise and Report Without Recommendation

Consideration Continued

[Federal Office Building Redevelopment Plan]
Ordinance approving and adopting the Redevelopment Plan for the Federal Office Building Redevelopment Project Area and merging said Redevelopment Plan with the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area and the South of Market Earthquake Recovery Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 161-97-8, Ordinance No.

Supervisor Leal, seconded by Supervisor Katz, moved to continue consideration to October 6, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Katz, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Bierman, Brown, Medina, Newsom, Yee - 5.

[Embarcadero-Lower Market Redevelopment Project]
Ordinance amending Ordinance No. 301-59, which approved the Redevelopment Plan for the Embarcadero-Lower Market (Golden Gateway) Project Area, and ordinances amending said Redevelopment Plan, namely ordinances numbered 208-61, 196-64, 194-64, 123-67, 204-68, 479-76, 476-86, 418-94 and 365-95 by further amending said Redevelopment Plan to merge the Embarcadero-Lower Market (Golden Gateway) Project Area into a Merged Redevelopment Project consisting of the South of Market Earthquake Recovery Redevelopment Project Area, the Embarcadero-Lower Market (Golden Gateway) Project Area and the Federal Office Building Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 73-97-1, Ordinance No.

Supervisor Leal, seconded by Supervisor Katz, moved to continue consideration to October 6, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Katz, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Bierman, Brown, Medina, Newsom, Yee - 5.

[South of Market Earthquake Recovery Project]
Ordinance amending Ordinance No. 234-90, which approved the Redevelopment Plan for the South of Market Earthquake Recovery Redevelopment Project Area, and ordinances amending said Redevelopment Plan, namely ordinances numbered 431-94 and 364-95 by further amending said Redevelopment Plan to merge the South of Market Earthquake Recovery Redevelopment Project Area into a merged Redevelopment Project consisting of the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area, The South of Market Earthquake Recovery Redevelopment Project Area, and the Federal Office Building Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 73-97-2, Ordinance No.

Supervisor Leal, seconded by Supervisor Katz, moved to continue consideration to October 6, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Katz, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Bierman, Brown, Medina, Newsom, Yee - 5.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, police brutality, elimination of constitution for poor people;
Michael Hillson, increase gasoline cost to finance bicycle lanes in both directions on the Bay Bridge via taxes, rather than oil company profits;
Cheryl Little Deer, FCC proposed Rule 18 Telecommunication Sitting;
Jesus Gumban, employment discrimination.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Adopted

[Proclaiming Lion of Judah Day]

Resolution recognizing the women of the Lions of Judah for their generosity and dedication to the Jewish Community and proclaiming September 25, 1997 as Lion of Judah Day in San Francisco. (Supervisors Kaufman, Bierman, Katz, Leal)

File 4-97-35, Resolution No. 858-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Proclaiming Interactive Media Week and Summit]

Resolution declaring the first week of October 1997 Interactive Media Week in the City and County and recognizing the first-ever San Francisco Interactive Media Summit in February 1998. (Supervisors Katz, Bierman, Leal)

File 4-97-36, Resolution No. 859-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Proclaiming Immigrant History Day]

Resolution commending the Northern California Coalition for Immigrant Rights for its decade of dedication and service on behalf of immigrants and declaring September 20, 1997 as "Immigrant History Day." (Supervisors Teng, Bierman, Katz, Leal)

File 4-97-37, Resolution No. 860-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Proclaiming Asian Employees Association of PG&E Day]

Resolution commending the Asian Employees Association of Pacific Gas and Electric Company for its contributions to the community, its promotion of Asian culture and tradition and declaring September 12, 1997 as "Asian Employees Association of PG&E Day" in the City and County. (Supervisors Teng, Katz, Leal)

File 4-97-38, Resolution No. 861-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Proclaiming Street Artists Day]

Resolution commending the Art Commission and its Street Artists Program for their twenty-five year commitment to improving the quality of life for San Francisco and joining with the Art Commission and its Street Artists Program in recognizing and honoring the achievements of the street artists in a celebration of the twenty-fifth anniversary of the Street Artists Program and declaring September 20, 1997 as "Street Artists Day" in the City and County. (Supervisors Teng, Kaufman, Bierman, Katz, Leal)

File 4-97-39, Resolution No. 862-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Proclaiming Juana Briones Day]

Resolution honoring Juana Briones as the first woman settler of San Francisco, and commending the Women's Heritage Museum and the Bay Area Network of Latinas for their efforts to place a state history marker in her honor in Washington Square Park and declaring October 5, 1997 as Juana Briones Day in the City and County. (Supervisors Leal, Kaufman, Bierman, Katz)

File 4-97-40, Resolution No. 863-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commending Alpha Phi Alpha Fraternity]

Resolution commending the Gamma Lambda Chapter of Alpha Phi Alpha Fraternity for its distinguished record of fifty years of leadership and service in the San Francisco Bay Area. (Supervisors Brown, Kaufman, Bierman, Katz, Leal)

File 6-97-157, Resolution No. 864-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsor.

[Commending August Coppola]

Resolution commending August Coppola for years of creative vision and leadership. (Supervisors Bierman, Katz, Leal)

File 6-97-158, Resolution No. 865-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Commending the American Red Cross]

Resolution recognizing and commending the American Red Cross for their relief efforts to victims of San Francisco residential hotel fires and for ongoing community service. (Supervisors Newsom, Kaufman, Katz, Leal)

File 6-97-159, Resolution No. 866-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Urging State Funding of ABC Personnel]

Resolution urging the California State Assembly's Appropriation Committee and Assemblywoman Carole Migden to appropriate funds to the San Francisco Office of Alcohol Beverage Control to allow for more personnel for enforcement. (Supervisors Newsom, Kaufman, Bierman, Katz, Leal)

File 12-97-29, Resolution No. 869-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Recycled Unbleached Paper Pilot Program]

Resolution requesting the Purchasing Department to provide the Board of Supervisors with a sufficient quantity of unbleached recycled paper to satisfy the Board of Supervisors' needs for internal paper use for a period of one month. (Supervisors Newsom, Katz, Leal)

File 247-97-2, Resolution No. 879-97

(September 15, 1997 - Introduced in Board for consideration on September 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

[Imperative Resolutions]

Adopted

[Commendation]

Resolution recognizing the Tenth Anniversary of Ted Lakey's career as the City Attorney's liaison to the Board of Supervisors and commending Mr. Lakey for his dedicated service, impeccable legal advice, and many important contributions to the City and County of San Francisco.

File 006-97-160, Resolution No. 867-97

Supervisors Kaufman, Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Medina, Newsom, Yee - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Contract Waiver Authority]

Substitute ordinance amending Administrative Code Sections 12B.5-1 and 12C.5-1 to authorize the Director of the Human Rights Commission to waive application of Chapters 12B and 12C where there are no qualified responsive bidders or potential contractors that comply with the requirements of those chapters, and for bulk purchasing contracts. Supervisors Katz, Ammiano, Leal, Bierman presented. Referred to Finance Committee.

File 097-97-021.02.

[Motor Fuel Prices]

Ordinance amending Administrative Code by adding Chapter 80, Sections 80.1 through 80.9 to require refiners of motor fuels to divorce company-owned service stations in the City and County of San Francisco, to preclude refiners from owning service stations in San Francisco in the future, and barring discrimination by refiners in the wholesale prices charged to service stations in San Francisco. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 109-97-057.

[Appropriation, Treasure Island Brig]

Ordinance appropriating \$2,100,000. Sheriff Department from General Reserve-Treasure Island Brig to fund the costs associated with staffing, operation and capital improvement of the naval brig on Treasure Island; companion measure to File 102-97-6. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-020.

[Salary Ordinance Amendment, Sheriff]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Sheriff's Office, reflecting the creation of thirty five (35) new positions and the reclassification of one (1) existing position; companion measure to File 101-97-20. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 102-97-006.

[Inscribing Tools]

Ordinance amending Police Code by adding Section 4202 prohibiting the sale of scribing tools, window etchers and diamond cutters to minors and prohibiting the display of inscribing tools, window etchers or diamond cutters in an area accessible to the public without employee assistance. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 121-97-007.

[Treasure Island and Jail No. 3 Improvements]

Ordinance waiving the competitive bidding requirements of Administrative Code Sections 6.01, 6.04 and 6.05 and authorizing the Director of the Department of Public Works and/or the Sheriff to expeditiously enter into contracts for the renovation, furnishing and equipping of the former Navy brig at Treasure Island and repairs to Jail No. 3; companion measure File 101-97-20. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 172-97-064.

[Municipal Elections Code]

Substitute ordinance enacting the San Francisco Municipal Elections Code, Articles I-IX, to provide rules and procedures for the orderly conduct of Municipal Elections, including rules for nomination of elective officers, submission of measures to the voters, preparation and form of ballots, preparation and form of materials mailed to the voters, and organization of the Ballot Simplification Committee and the Citizens Advisory Committee on Elections; and repealing Administrative Code Sections 5.69 - 5.89, inclusive. Supervisor Leal presented. Referred to Rules Committee.

File 269-97-001.

Referred to Board

[Clean Water Day]

Resolution declaring October 14, 1997 as "Clean Water Day" in San Francisco. Supervisors Kaufman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar September 29, 1997.

File 004-97-041.

[Domestic Violence Awareness Month]

Resolution declaring October 1997 as Domestic Violence Awareness Month in the City and County of San Francisco. Supervisors Kaufman, Teng, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar September 29, 1997.

File 004-97-042.

[Commendation]

Resolution commending the San Francisco Family Violence Council and its Health Care Subcommittee for developing and publishing the San Francisco Domestic Violence Protocol, which provides guidelines for health care professionals to assist them in improving the quality of care given to patients in San Francisco. Supervisors Kaufman, Teng, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar September 29, 1997.

File 006-97-161.

[Commendation]

Resolution commending the Taraval-Parkside Association in honor of its Twenty-Second Annual Merchants Association Senior Dance on September 28, 1997. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 29, 1997.

File 006-97-162.

[Commendation]

Resolution commending the Golden Gate District of the American Physical Therapy Association for their dedicated efforts in providing healthcare to the citizens of San Francisco and declaring the month of October 1997 as "National Physical Therapy Month" in the City and County of San Francisco. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar September 29, 1997.

File 006-97-163.

[Golden Gate Bridge Song]

Resolution supporting adoption of "The Bridge: Golden Gate" to be the official song of the Golden Gate Bridge and urging the Golden Gate Bridge, Highway and Transportation District to adopt "The Bridge: Golden Gate" as the official ballad of the Golden Gate Bridge. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 29, 1997.

File 055-97-003.

Referred to Committee

[Grant, Police Department]

Resolution approving retroactively the application, acceptance and expenditure of a grant awarded by the California Department of Alcohol Beverage Control to the San Francisco Police Department in the amount of \$100,000. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 143-97-005.

[Street Artists]

Resolution designating temporary selling spaces in the downtown area at Harvey Milk Plaza for street artists certified by the Art Commission, City and County of San Francisco, for the holiday season, 1997, beginning on November 15, 1997 and ending on January 15, 1998. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 169-97-001.

[Bond Sale, Educational Facilities, \$16 Million]

Resolution authorizing and directing the sale of not to exceed \$16,000,000 City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997), Series 1997C; prescribing the form and terms of said Bonds; authorizing execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of funds related thereto; approving the forms of official notice of sale of Bonds and notice of intention to sell Bonds; directing the publication of official notice of sale and notice of intention to sell Bonds; approving the form and execution of official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority of City officials to take necessary actions in connection therewith the authorization, issuance, sale and delivery of said Bonds; companion measure to File 170-96-12.3. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at the October 1, 1997 meeting.

File 170-97-009.

[Bond Issuance, Educational Facilities]

Resolution providing for the issuance of not to exceed \$140,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997), including the issuance of an initial series thereof in the aggregate principal amount of not to exceed \$16,000,000 and designated as the City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997), Series 1997C; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of funds related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 170-97-9. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at the October 1, 1997 meeting.

File 170-96-012.03.

[Treasure Island, Rubicon Programs Contract]

Resolution authorizing and approving a contract with Rubicon Programs Incorporated, a non-profit organization, for maintenance and landscaping services on the Naval Treasure Island without competitive bidding, consistent with Board of Supervisors Resolution No. 672-96, for a term of one year and fee of \$850,000; and finding that such services can be performed at a lesser expense than similar work performed by employees of the City and County of San Francisco. Supervisor Yaki presented. Referred to Finance Committee.

File 172-97-063.

Referred to Board

[Chef Walk of Fame]

Resolution considering designation of the public sidewalk fronting 625 Polk Street (the California Culinary Academy) on Polk Street as eligible for the installation and maintenance of commemorative plaques, pursuant to Public Works Code Section 789.2(a), in order to honor chefs who have contributed to the culinary heritage of the San Francisco Bay Area, proposing that this area be identified as the "Chef Walk of Fame," and urging official actions in connection therewith. Supervisors Kaufman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar September 29, 1997.

File 200-97-008.

[Civil Rights, Vietnamese-American Coalition]

Resolution supporting the recommendations of the Vietnamese-American Coalition for Civil Rights; and urging the San Francisco Housing Authority to conduct staff training on the changing demographics of clients they serve, and that a training session be provided for all housing commissioners and appointed officials on the state of the Asian Pacific American Community and their needs; urging the San Francisco Housing Commission to hold a joint hearing to review the progress of the San Francisco Housing Authority's implementation of the recommendations the Vietnamese-American Coalition for Civil Rights and to report their findings to the Board of Supervisors by December 1, 1997. Supervisors Teng, Brown presented. Referred to Housing and Neighborhood Services Committee.

File 206-97-007.

Requests for Hearings:

[Municipal Railway Safety]

Hearing to consider the National Transportation Safety Board's report on Municipal Railway safety. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-014.

[Suicide Among Sexual Minority Youth]

Hearing to consider the public policy implications contained in the recent report indicating an excessively high rate of at-risk behavior for suicide among young gay males. Supervisor Ammiano presented. Health, Family and Environment Committee.

File 030-97-017.

[HIV Program]

Hearing to ascertain the current status of treatment for people living with AIDS/HIV in San Francisco. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 030-97-018.

[Market Street Traffic Closure]

Hearing to consider various plans to close portions of Market Street to non-commercial traffic, including potential effects on pedestrian and bicycle safety, impacts on area merchants and impacts on Municipal Railway travel times along the closed portions of Market Street. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 190-97-012.

[Pedestrian Safety]

Hearing to consider the issue of pedestrian safety in San Francisco. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee with request it be considered at the November 6, 1997 meeting.

File 190-97-013.

[deYoung Museum and California Academy of Science]

Hearing to consider access and transportation to the deYoung Museum and California Academy of Sciences. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 193-97-007.03.

[Interactive Media Industry Training]

Hearing to consider successful factors involved in training disadvantaged youth in the Interactive Media Industry. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee with request it be considered at the October 21, 1997 meeting at 11:00 a.m.

File 215-97-006.

[Hunters Point Naval Shipyard]

Hearing to consider the status of negotiations between the City and County and the Navy over the conveyance of Hunters Point Naval Shipyard and the feasibility of implementing a community-managed clean up program. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 244-97-001.01.

Motion:

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar September 29, 1997.

File 030-97-001.17.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-106. [Stephena Waldon v. CCSF, et al.] Ordinance authorizing settlement of the litigation of Stephena Waldon v. City and County of San Francisco, by payment of \$110,000. (Also see File 45-97-44) (Superior Court No. 980-230). (City Attorney) Referred to Rules Committee.

File 045-97-107. [Delcey Watkins, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Delcey Watkins against the City and County of San Francisco by payment of \$12,000. (Superior Court No. 970-359). City Attorney) Referred to Rules Committee.

File 101-97-012. [Appropriation, S.F. Unified School District] Ordinance appropriating \$22,050,000, Unified School District, of 1994 San Francisco School Bond proceeds for the construction of various San Francisco public schools for fiscal year 1997-98. RO #97072. (Controller) Referred to Finance Committee.

File 101-97-019. [Appropriation, Trial Courts] Ordinance appropriating \$1,122,757, Trial Courts, of Courthouse Construction Fund balance for other contractual services, professional services, equipment and capital improvement for fiscal year 1997-98. RO #97096. (Controller) Referred to Finance Committee.

File 121-96-013.01. [Permit Fees for Tow Car Firms] Ordinance amending Police Code by amending Sections 2.26 and 2.27 to reduce tow car firm license fees. (Police Department) Referred to Finance Committee.

Resolutions Referred to Committee

File 019-97-008. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1373. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-007. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1373. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 027-97-010. [Federal Aviation Administration Lease Renewal] Resolution approving renewal of Lease No. DTFA-08-97-L-17638 between Federal Aviation Administration and City and County of San Francisco, acting by and through its Airport Commission. (Airports Commission) Referred to Finance Committee.

File 048-97-069. [Settlement of Claim, Pui Ling Che] Resolution approving the settlement of the unlitigated claim of Pui Ling Che by payment of \$46,000. (City Attorney) Referred to Rules Committee.

File 065-97-012. [Lease of Property, Hallidie Plaza] Resolution authorizing the lease of real property at Hallidie Plaza for the operation of a coffee concession by Cable Car Coffee Company, Inc. (Real Estate Department) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that letter be sent to Director, Department of Parking and Traffic requesting immediate citywide traffic survey of automobile traffic around schools, senior centers and disabled centers as well as busy intersections in San Francisco; survey of adequacy of stop signs, stop lights and cross walks within a one block radius of every school, senior center, disabled center and busy intersection; and ensure that a crossing guard has been assigned to every school. File 190-97-13.

By Supervisor Teng, that letter be sent to Chief of Police requesting report on the department's enforcement of speeding laws around schools to attest that it is done strictly and to report that it has assigned sufficient staff to address the issue of automobile safety near schools. File 190-97-13.

By Supervisors Teng, Leal, that City Attorney draft resolution requesting the State Legislature to double the fines for speeding in school zones.

By Supervisor Ammiano, that Budget Analyst be requested to provide a cost analysis of the Central Freeway retrofit plan as provided in Proposition H on the November 1997 ballot. Such analysis should quantify costs (1) resulting from any increased construction time required to retrofit the freeway; (2) to study reopening freeway on/off ramps that have been demolished; (3) cost to construct such on/off ramps; (4) availability of funding for the retrofit plan and potential reconstruction of demolished on/off ramps; and (5) potential impacts of the retrofit plan on area property values and city property tax revenues.

By Supervisor Kaufman, that letter be sent to Olivet Missionary Baptist Church congratulating them on their 50th Church anniversary, October 16, 1947-1997.

By Supervisor Katz, that letter of inquiry be sent to the San Francisco Redevelopment Agency to determine the feasibility of incorporating a dog run park in the plan for Hunters Point Naval Shipyard.

Monday, September 22, 1997

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Dallas Adams (Supervisor Katz)

File 2-97-36

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:10 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 10, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, September 29, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 29, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Pro Tempore Gavin Newsom and then President Barbara Kaufman presiding.

CALLING THE ROLL

In the absence of President Kaufman, the meeting was called to order at 2:02 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Kaufman - 1.

Quorum present.

Supervisor Kaufman was noted present at 2:10 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Bierman, seconded by Supervisor Brown, moved that Supervisor Newsom be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10

Absent: Supervisor Kaufman - 1.

Suspension of the Rules
Commendations Presented

Supervisor Teng, seconded by Supervisor Yaki, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to present commendations to recipients of the Emmy for Outstanding Informational or Cultural Program.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10

Absent: Supervisor Kaufman - 1

Supervisor Teng presented commendations to Sokly Ny and Spencer Nakasako co-directors of "aka Don Bonus" a film which was awarded an Emmy for Outstanding Informational or Cultural Program. Also present was Louvella Lee, Executive Director of the Vietnamese Youth Development Center and Eddie Wong, Executive Director of the National Asian American Telecommunications Association.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Yee requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Finally Passed

[Appropriation, Department of Public Health]

Ordinance appropriating \$10,665,000, Department of Public Health, from the sales of the bond fund proceeds for the purchase of building located at 2789 25th Street (CMED Building), for fiscal year 1997-98, placing \$1,066,000 on reserve. (Mayor)

File 101-97-17, Ordinance No. 369-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisor Yee - 1.

Absent: Supervisor Kaufman - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$25,105,000, Recreation and Park Department, of 1992 Golden Gate Park Infrastructure Bond Fund proceeds for the reconstruction of park water supply and other utilities and features for fiscal year 1997-98, placing \$16,968,000 on reserve. (Mayor)

File 101-97-13, Ordinance No. 368-97

Finally passed.

Adopted

[Prop J Contract, Airport Information Booth Program]

Resolution approving the Controller's certification that airport information booth services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City employees at presently budgeted levels. (Airport)

File 25-97-14, Resolution No. 894-97

Adopted.

[Federal Grant, Department of Health/Human Services]

Resolution authorizing the Department of Public Health, Public Health Division, Emergency Medical Services Agency (EMSA), to retroactively apply for and accept and to expend a grant in the amount of \$350,000 from the Department of Health and Human Services to provide for the development of a Metropolitan Medical Strike Team to respond to the potential use of nuclear, biological, or chemical weapons by terrorists; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-97-20, Resolution No. 897-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

President Barbara Kaufman took the chair.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Passed for Second Reading

[Regulation of Lobbyists]

Ordinance amending Administrative Code to: Broaden the definition of City officers to include members of the Board of Education, Community College Board, Housing Authority, Redevelopment Agency, and Transportation Authority; increase lobbyist registration fees to \$300 from \$35; increase lobbyist client fees to \$50 from \$15; increase late filing fees to \$25 per day from \$10 per day; and provide that whenever a lobbyist is required to report the salary of an employee who is also an officer of the City and County, the lobbyist need only disclose whether the total salary payment was less than or equal to \$250, greater than \$250 but less than or equal to \$1,000, greater than \$1,000 but less than or equal to \$10,000, or greater than \$10,000. (Ethics Commission)

File 97-97-35, Ordinance No.

(Amends Sections 16.523, 16.524, and 16.526.)

(September 22, 1997 - Consideration continued to September 29, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

From Committee of the Whole

Adopted

[Acquisition by Eminent Domain, 23rd and Treat]

Resolution authorizing acquisition of Lot Nos. 5 and 5A in Assessor's Block 3639 (23rd and Treat Streets) by eminent domain for the Open Space Program, and to adopt findings pursuant to City's General Plan and Planning Code Section 101.1. (Supervisors Leal, Teng)

File 84-97-4, Resolution No. 895-97

(September 22, 1997 - Consideration continued to September 29, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendation of Economic Development, Transportation
and Technology Committee

Passed for Second Reading

[Alcohol Consumption]

Ordinance amending Police Code, to exempt from prohibition the consumption of alcohol at prescribed areas and times for which permission has been granted by the Department of Public Works pursuant to Article 5.2 of the Public Works Code, as set forth herein and urging other official action in connection therewith. (Supervisors Newsom, Kaufman, Medina, Teng, Ammiano, Bierman, Yaki)

File 121-97-6, Ordinance No.

(Amends Section 21.)

(September 22, 1997 - Consideration continued to September 29, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Leal - 1.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Grants - Application, Accept/Expend Procedures]

Ordinance amending Administrative Code, authorizing Department Heads to apply for Federal, State or other grants and changing procedures for the acceptance and expenditure of grants. (Supervisors Kaufman, Medina)

File 97-97-42, Ordinance No.

(Amends Sections 10.170 through 10.170-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Settlement Authority - Claims/Litigation]

Ordinance amending Administrative Code, by increasing the allowance of settlement from \$5,000 to \$25,000 of unlitigated claims, litigation, and claims in favor of the City and County; requiring quarterly reports. (Supervisors Kaufman, Medina)

File 97-97-43, Ordinance No.

(Amends Sections 10.20-9, 10.21, 10.22, 10.22-2, and 10.24.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[State Disability Insurance]

Ordinance amending Administrative Code, authorizing the Human Resources Director to enroll qualifying employee classifications into the State Disability Insurance program without further approval of the Board of Supervisors. (Supervisors Kaufman, Medina)

File 97-97-45, Ordinance No.

(Adds Section 16.9-31.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for Second Reading as Amended

[Repeal Regulatory Fee, Temporary Relocation]

Ordinance amending Administrative Code, to provide that the Department of Public Health will directly pay for the costs of temporarily relocating families with lead poisoned children, and deleting that portion that provided that costs of short term relocation for families with lead poisoned children and associated administrative costs be paid for by the fees collected pursuant to Administrative Code Chapter 73. (Supervisor Kaufman)

File 97-97-49, Ordinance No.

(Fiscal Impact.)

(Amends Sections 72.1 through 72.4; and 72.6)

Supervisor Leal, seconded by Supervisor Bierman, moved to amend the title to make clerical corrections to line 3 by adding "72.2" and to line 4 by adding "72.6".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Passed for Second Reading

[Repeal Fee, Lead Hazard Abatement Program]

Ordinance amending Administrative Code by repealing Chapter 73, to delete regulatory fee to cover reasonable costs incurred by the Department of Public Health in administering the childhood lead hazard abatement program and the costs of temporarily relocating families with lead poisoned children. (Supervisor Kaufman)

File 97-97-50, Ordinance No.

(Repeals Sections 73.1 through 73.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Repeal Fund, Lead Abatement]

Ordinance amending Administrative Code by repealing Section 10.117-116 to delete the Relocation Assistance and Lead Administration Fund into which regulatory fees to provide for the costs of relocation assistance and administration incurred in the remediation of lead hazards in residential units occupied by a lead poisoned child could be deposited; companion measure to Files 97-97-49 and 97-97-50. (Supervisor Kaufman)

File 97-97-51, Ordinance No.

(Repeals Sections 10.117-116.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Taxation, Domestic Partner Owned Business]

Ordinance amending Municipal Code, Part III, to provide that whenever a spousal unit is treated as a single person, a domestic partnership shall likewise be treated as a single person. (Supervisors Leal, Ammiano, Newsom, Bierman, Kaufman, Teng, Brown, Medina, Katz)

File 127-97-8, Ordinance No.

(Adds Section 1002.8.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

At the request of the President, Supervisor Yaki assumed the Chair.

Adopted as Amended

[Rule on Subject Hearings]

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 2.10 in order to increase the effectiveness of hearings to consider subject matter, when legislation is not available to the public. (Supervisors Kaufman, Medina)

File 56-97-4

(Pursuant to Rule 4.39, requires two-thirds vote.)

Supervisor Katz, seconded by Supervisor Teng, moved to amend page two, line 2 after the word "accomplish" add to the extent possible.

Motion to amend adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

The President resumed the Chair.

Adopted

[Rule on Skeletal Charter Amendments]

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 2.33.1 in order to increase the effectiveness of consideration of proposed Charter amendments to be submitted to the public. (Supervisors Kaufman, Medina)

File 56-97-5

(Pursuant to Rule 4.39, requires two-thirds vote.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Federal Grant, Youth Gangs Drug Prevention Program]

Resolution authorizing retroactively, the Chief of Police to apply for, accept and expend funds in the amount of Two Hundred Twenty Thousand Dollars (\$220,000.00) for a project known as "Youth Gangs Drug Prevention Program (Community Schools Grant)." (Supervisor Leal)

File 143-97-4, Resolution No. 896-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[City-Wide Graffiti Abatement Program]

Resolution urging the Department of Public Works to establish a city-wide Graffiti including inscription/etching, Abatement Program and urging the Probation Department to require adults convicted for defacing property, as part of their probation, to perform community service by participating in the Graffiti, including inscription/etching, Abatement Program through community service. (Supervisors Teng, Bierman, Medina, Kaufman)

File 200-97-6, Resolution No. 898-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Anti-graffiti and Hate Crimes Program]

Resolution creating the Anti-Graffiti and Hate Crimes Program, that the program be led by the Taraval Station Police Captain and report to the Housing and Neighborhood Services Committee, and that the program be a pilot program; urging the Art Commission, Youth Commission and the Unified School District to develop an art project to encourage young people to express their artistic endeavors and to sponsor an anti-graffiti poster contest; and urging the Police Department to appoint an Asian American officer to the Special Investigation Bureau, Hate Crimes Unit. (Supervisors Teng, Yee, Katz, Newsom, Ammiano, Brown, Bierman, Leal, Medina, Kaufman)

File 207-97-5, Resolution No. 900-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Graffiti Clean-Up]

Resolution urging the Juvenile Probation Department to direct that juveniles convicted for defacing property be required, as part of their probation, to perform community service by cleaning the graffiti, including inscription/etching, from buildings and objects in a four-block area in the vicinity of the graffiti vandalism. (Supervisors Teng, Leal, Medina, Kaufman)

File 214-97-3, Resolution No. 901-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Liquor License Transfer, 1706 Church Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license to Cecilia de Leon for Stelling's Market from its current location at 1700 Church Street to 1706 Church Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-29, Resolution No. 902-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Conference with Clerk of the Board - Personnel

Adopted

Motion that the Board of Supervisors convene in closed session for the purpose of discussing the performance, at his request, of a public employee, the Clerk of the Board of Supervisors, Legislative Administrator and City Clerk, John L. Taylor, as authorized by Government Code Section 54957.

Supervisor Medina, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recess

The Board recessed at the hour of 2:53 p.m. to convene in closed session. The Board reconvened at 3:18 p.m.

Calling the Roll

On call of the roll, the following supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Noted Absent: Katz, Leal - 2.

Quorum present.

Report on Closed Session

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Yaki, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to decision of Planning Commission by its Motion No. 14439, dated August 7, 1997, approving Conditional Use Application No. 97.307C, for conditional use authorization to install six panel antennas on the roof and a base transceiver station in the basement of the existing apartment as part of a wireless communications network in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District, pursuant to Section 209.6(b) of the Planning Code, on property located at 1501 Lincoln Way, southwest corner at 16th Avenue; Lot 1 in Assessor's Block 1734.

File 37-97-5

(Appeal filed September 8, 1997.)

(Categorically exempt from the environmental review process pursuant to Class exemptions of Title 14 of the California Administrative Code.)

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors (401 Van Ness Avenue, Room 308; San Francisco, CA 94102.) at, or prior to, the public hearing.)

The following persons were sworn in and granted the privilege of the floor:

Appellant: Ellie Nelson, John Bardis, Selma Phoebe Cohen, Margaret Huff, Mun Yung, George Robertson, Edith McMillan, Arose Simpson, Ramona Albright, Margaret Burgess, Margie Marks, Walter Johnson, Ed Rossario, Cheryl Little Deer, Giselle Quezada.

Respondents: Mary Gallagher, representing the Planning Department, Heinz Lumpf.

A rebuttal period was allowed.

The President then declared the hearing closed.

Consideration Continued

(Only one of following two motions should be adopted.)

[Zoning Appeal, 1501 Lincoln Way]

Motion approving decision of the Planning Commission by its Motion No. 14439, approving Conditional Use Application No. 97.307C, on property located at 1501 Lincoln Way, southwest corner at 16th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-5.1

Supervisor Ammiano, seconded by Supervisor Brown, moved to continue consideration to October 6, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Zoning Appeal, 1501 Lincoln Way]

Motion disapproving decision of the Planning Commission by its Motion No. 14439, approving Conditional Use Application No. 97.307C, on property located at 1501 Lincoln Way, southwest corner at 16th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-5.2

Supervisor Ammiano, seconded by Supervisor Brown, moved to continue consideration to October 6, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 97.307C, on property located at 1501 Lincoln Way, southwest corner at 16th Avenue, for action by the Board at its next meeting.

File 37-97-5.3

Supervisor Ammiano, seconded by Supervisor Brown, moved to continue consideration to October 6, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to the decision of the Director of Public Works dated August 21, 1997, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90 in Assessor's Block 4991, north and east of Executive Park Boulevard and Harney Way in the South Bayshore area.

File 59-97-3

(Appeal filed September 2, 1997.)

Supervisor Teng, seconded by Supervisor Yaki, moved to continue consideration to October 14, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

From the Clerk

(Only one of the following two motions should be adopted.)

Consideration Continued

[Subdivision]

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive Park Boulevard and Harney Way in the South Bayshore Area.

File 59-97-3.1

Supervisor Teng, seconded by Supervisor Yaki, moved to continue consideration to October 14, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Subdivision]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive Park Boulevard and Harney Way in the South Bayshore Area.

File 59-97-3.2

Supervisor Teng, seconded by Supervisor Yaki, moved to continue consideration to October 14, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive park Boulevard and Harney Way in the South Bayshore Area for consideration by the Board at its next meeting.

File 59-97-3.3

Supervisor Teng, seconded by Supervisor Yaki, moved to continue consideration to October 14, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From Rules Committee

(The following item will be considered by the committee at a rescheduled meeting on Thursday, September 25, 1997 at 10 a.m. The Chair intends to request the committee to send the following item to the Board as a committee report.)

Adopted

[Appointment]

Resolution confirming the appointment of Ron Freebairn-Smith as an alternate member of the San Francisco Bay Conservation and Development Commission. (Supervisor Bierman)

File 92-96-10.1, Resolution No. 882-97

(vice Rebecca Evans, Seat No. 10602.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, constituencies left out in establishing city policy;
Jesus Gumban, discrimination in school district;
Leboraie Smoore, police brutality and the court system.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Rules Committee

[Golden Gate Bridge Song]

Resolution supporting adoption of "The Bridge: Golden Gate" to be the official song of the Golden Gate Bridge and urging the Golden Gate Bridge, Highway and Transportation District to adopt "The Bridge: Golden Gate" as the official ballad of the Golden Gate Bridge. (Supervisor Teng)

File 55-97-3, Resolution No.

(September 22, 1997 - Introduced in Board for consideration on September 29, 1997.)

At the request of Supervisor Teng, referred to Rules Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Clean Water Day]

Resolution declaring October 14, 1997 as "Clean Water Day" in San Francisco. (Supervisors Kaufman, Katz, Bierman, Leal, Brown)

File 4-97-41, Resolution No. 883-97

(September 22, 1997 - Introduced in Board for consideration on September 29, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Brown requested to be added as co-sponsors.

[Domestic Violence Awareness Month]

Resolution declaring October 1997 as Domestic Violence Awareness Month in the City and County of San Francisco. (Supervisors Kaufman, Teng, Katz, Bierman, Leal, Brown)

File 4-97-42, Resolution No. 884-97

(September 22, 1997 - Introduced in Board for consideration on September 29, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Brown requested to be added as co-sponsors.

[Commendation]

Resolution commending the San Francisco Family Violence Council and its Health Care Subcommittee for developing and publishing the San Francisco Domestic Violence Protocol, which provides guidelines for health care professionals to assist them in improving the quality of care given to patients in San Francisco. (Supervisors Kaufman, Teng, Katz, Bierman, Leal, Brown)

File 6-97-161, Resolution No. 886-97

(September 22, 1997 - Introduced in Board for consideration on September 29, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Brown requested to be added as co-sponsors.

[Commendation]

Resolution commending the Taraval-Parkside Association in honor of its Twenty-Second Annual Merchants Association Senior Dance on September 28, 1997. (Supervisors Teng, Kaufman, Leal, Brown, Katz)

File 6-97-162, Resolution No. 887-97

(September 22, 1997 - Introduced in Board for consideration on September 29, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Brown, Katz requested to be added as co-sponsors.

[Commendation]

Resolution commending the Golden Gate District of the American Physical Therapy Association for their dedicated efforts in providing healthcare to the citizens of San Francisco and declaring the month of October 1997 as "National Physical Therapy Month" in the City and County of San Francisco. (Supervisors Leal, Brown, Katz)

File 6-97-163, Resolution No. 888-97

(September 22, 1997 - Introduced in Board for consideration on September 29, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz requested to be added as co-sponsors.

[Chef Walk of Fame]

Resolution considering designation of the public sidewalk fronting 625 Polk Street (the California Culinary Academy) on Polk Street as eligible for the installation and maintenance of commemorative plaques, pursuant to Public Works Code Section 789.2(a), in order to honor chefs who have contributed to the culinary heritage of the San Francisco Bay Area, proposing that this area be identified as the "Chef Walk of Fame," and urging official actions in connection therewith. (Supervisors Kaufman, Katz, Bierman, Leal, Brown)

File 200-97-8, Resolution No. 899-97

(September 22, 1997 - Introduced in Board for consideration on September 29, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Brown requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.17

(September 22, 1997 - Introduced in Board for consideration on September 29, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Yaki, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Imperative Resolutions]

Adopted

[Lesbian/Gay/Bisexual/Transgender History Month]

Resolution recognizing the month of October 1997 as Lesbian and Gay, Bisexual, Transgender History Month in San Francisco.

File 004-97-043, Resolution No. 885-97

Supervisor Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Commend Felicitas and Gonzalo Mendez]

Resolution recognizing Felicitas and Gonzalo Mendez on the 50th Anniversary of their landmark court victory which ended segregation of Latino children in California public schools.

File 006-97-164, Resolution No. 889-97.

Supervisors Medina, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Recognizing the Carmelites]

Resolution recognizing the Carmelite Sisters of the Monastery of Cristo Rey on the occasion of their observance of the 100th Anniversary of the death of St. Therese Martin of Lisieux.

File 006-97-165, Resolution No. 890-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Commending the University of San Francisco]
Resolution commending the University of San Francisco on the occasion of the 5th Anniversary of their Martyrs of El Salvador Project.

File 006-97-166, Resolution No. 891-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Commend St. Boniface Church]
Resolution commending St. Boniface Church as a place of respite, peace and beauty, and making October 4, 1997 "Save St. Boniface Church Day" in the City and County of San Francisco.

File 006-97-167, Resolution No. 892-97

Supervisors Medina, Bierman, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Commending Natalie Engmann]
Resolution commending Natalie Engmann, 1997 San Francisco County National Multiple Sclerosis Society Read-A-Thon Champion.

File 006-97-168, Resolution No. 893-97

Supervisor Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Treasure Island Firefighters-Temporary Hiring]
Resolution approving pursuant to Government Code Section 53270, the temporary provisional hiring of civilian firefighters terminated from their jobs by closure of Treasure Island Naval Base, for a period not to exceed sixty days from and retroactive to the date of termination from federal employment, at the same basic wage rate and hours of their current federal employment, except that these employees shall not receive any benefits, including but not limited to, retirement, premiums, vacation pay, sick pay, holiday pay and jury duty pay, and provided that said civilian firefighters shall be supervised in the performance of their duties at all times by officers of the San Francisco Fire Department and shall be entitled to Workers' Compensation Benefits as provided under state law for public safety employees.

File 244-97-005, Resolution No. 881-97.

Supervisor Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Project Notice]

Ordinance amending Administrative Code by adding Chapter 79, entitled "Pre-Approval Notice For Certain City Projects," requiring that all city departments, officers, boards and commissions provide public notice of proposed city projects, as defined, that involve new construction, a change in use or significant expansion of an existing use. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 097-97-058.

[Polluting Garden and Construction Equipment]

Ordinance amending Administrative Code by adding Sections 4.14 and 21.18-6, restricting the use of polluting garden and utility equipment on poor air quality days and prohibiting the future purchase of such equipment except under specified circumstances. Supervisor Leal presented. Referred to Health, Family and Environment Committee.

File 097-97-059.

[Lead Paint-Exterior Work Practices]

Ordinance amending Building Code by adding new Chapter 36 establishing requirements governing activities that disturb or remove painted surfaces containing lead-based paint on the exterior of any residential, commercial, or public building, or steel structure. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 114-97-002.

[Lead Contamination-Non-Housing Sites]

Ordinance amending Health Code by amending Section 1625 to establish requirements for the evaluation and control of lead hazards at vacant non-housing sites. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 118-97-005.

[Tobacco Advertising and Promotion]

Ordinance amending Police Code by adding Section 674 to prohibit the outdoor advertising and promotion of cigarettes and other tobacco products in publicly visible locations near schools, parks, playgrounds and recreation centers or facilities. Supervisor Brown presented. Referred to Health, Family and Environment Committee.

File 121-97-008.

Referred to Board

[a.k.a. Don Bonus Day]

Resolution commending Spencer Nakasako, Sokly Ny, the National Asian American Telecommunications Association and the Vietnamese Youth Development Center; and declaring September 29, 1997 as "a.k.a. Don Bonus Day" in the City and County of San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 6, 1997.

File 006-97-169.

[Commending Juma Ventures]

Resolution commending Juma Ventures on their success in training and employing Bay Area youth. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar October 6, 1997.

File 006-97-170.

[Commending World War II Veterans]

Resolution commending the Veterans of the 100th-442nd MIS for their tremendous courage during World War II. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar October 6, 1997.

File 006-97-171.

[Commending Gustavo Aguilar]

Resolution commending Gustavo Aguilar for his commitment to bilingual education, and his courage in raising concerns about the Oakland Unified School District's Bilingual Education Program. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar October 6, 1997.

File 006-97-172.

[Commending Sojourner Truth Center]

Resolution commending Sojourner Truth Family Resource Center on its grand opening. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar October 6, 1997.

File 006-97-173.

[Commending Judge Little and Judge Tang]

Resolution commending Judge Donna Little and Judge Julie Tang for their courage, commitment and hard work in creating and implementing a Domestic Violence Court in San Francisco. Supervisor Kaufman presented. Referred to Board of Adoption Without Committee Reference Calendar October 6, 1997.

File 006-97-174.

[Supporting H.R. 2135]

Resolution urging the U.S. Congress to pass H.R. 2135, the International Tobacco Responsibility Act of 1997, which would prohibit any employee or agency of the federal government from promoting the export of cigarettes or other tobacco products and bar them from attempting to reduce foreign restrictions on the advertising, manufacture, packaging, taxation, sale or distribution of tobacco products. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar October 6, 1997.

File 013-97-030.

[Semi-Annual City-Wide Cleanup Day]

Resolution supporting the Department of Public Works, the Mayor's Office, other City and County of San Francisco agencies, the private business sector, and community organizations to form a task force to organize a semi-annual city-wide cleanup day that will include litter removal and street cleaning and designating November 8, 1997 as the first Semi-Annual City-Wide Cleanup Day, establishing it as the policy of the City and County of San Francisco to organize a Semi-Annual Cleanup Day. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar October 6, 1997.

File 043-97-004.

Referred to Committee

[Renaming Dale Place as Continuum Way]

Resolution renaming Dale Place, in its entirety, "Continuum Way" in honor of Continuum HIV Day Services' innovation and dedication serving those living with HIV disease or AIDS. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 075-97-002.

[Disparity Study of Employment of Local Residents]

Resolution urging the Human Rights Commission to conduct a disparity study regarding employment of local residents by certain construction contractors who contract with the City and County of San Francisco in order to determine their current utilization of local residents. Supervisor Kaufman presented. Referred to Finance Committee.

File 108-97-005.

[Contract-Intergovernmental Agreement]

Resolution authorizing the Human Rights Commission Executive Director to enter into an agreement with the Housing Authority of the City and County of San Francisco to make available to the Housing Authority affirmative action/contract compliance/employment expertise and services. Supervisor Brown presented. Referred to Housing and Neighborhood Services Committee.

File 206-97-008.

Requests for Hearings:

File 206-97-009. [Transfer of Housing Authority To City] Hearing to consider the transfer of the Housing Authority from HUD back to local control, specifically as it relates to the problem of racially and ethnically motivated violence at Housing Authority developments. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-012. [Implementation of Proposition 215] Hearing to consider the problems and issues associated with the San Francisco Police Department's implementation of the voter mandated Proposition 215. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-108. [Juanita Rieloff v. CCSF, et al.] Ordinance authorizing settlement of litigation of Juanita Rieloff against the City and County of San Francisco by payment of \$6,500. (Superior Court No. 975-694). (City Attorney) Referred to Rules Committee.

File 045-97-109. [Anne Kenney v. CCSF, et al.] Ordinance authorizing settlement of litigation of Anne Kenney against the City and County of San Francisco by payment of \$7,500. (Municipal Court No. 135-371). (City Attorney) Referred to Rules Committee.

File 097-97-029. [Delinquency Prevention Commission] Ordinance amending Administrative Code by repealing Sections 20.50, 20.51, and 20.52, to dissolve the Delinquency Prevention Commission, and by repealing Section 10.117-104, to close the Friends of the Delinquency Prevention Commission Special Fund. (Clerk of the Board) Referred to Rules Committee.

File 101-97-021. [Appropriation, Airport] Ordinance appropriating \$23,190,287, Airport Commission, of various Bond Fund balances to the Airport, for capital improvement projects for fiscal year 1997-98. RO #97113. (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 047-97-004. [Parking Rate Changes, Sutter-Stockton Garage] Resolution approving the amendment of parking rates at the Sutter-Stockton Garage. (Department of Parking and Traffic) Referred to Finance Committee.

File 048-97-070. [Settlement of Claim, Nancy J. Danard] Resolution approving the settlement of the unlitigated claim of Nancy J. Danard by payment of \$20,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-071. [Settlement of Claim, David Wilson/Joann Sacca] Resolution approving the settlement of the unlitigated claim of David Wilson and Joann Sacca by payment of \$15,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-072. [Settlement of Claim, Lloyd Eakins/S. Szentmiklossy] Resolution approving the settlement of the unlitigated claim of Lloyd Eakins/S. Szentmiklossy by payment of \$6,500. (City Attorney) Referred to Rules Committee.

File 048-97-073. [Settlement of Claim, Reginald Oliver] Resolution approving the settlement of the unlitigated claim of Reginald Oliver by payment of \$52,000. (City Attorney) Referred to Rules Committee.

File 048-97-074. [Settlement of Claim, State Farm Insurance] Resolution approving the settlement of the unlitigated claim of State Farm Insurance(Roake) by payment of \$5,200. (City Attorney) Referred to Rules Committee.

File 064-96-007.01. [Lease Amendment, 30 Van Ness Avenue] Resolution authorizing an amendment to a lease of real property at 30 Van Ness Avenue, San Francisco, for the Department of Human Services. (Real Estate Department) Referred to Finance Committee.

File 064-96-021.01. [Lease Amendment, 1540 Market Street] Resolution authorizing an amendment to lease of real property at 1540 Market Street for the Offices of Emergency Medical Services, Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 064-97-014. [Lease Amendment, 30 Van Ness Avenue] Resolution authorizing an amendment to a lease of real property at 30 Van Ness Avenue, San Francisco, for the Department of Human Services. (Also see File 64-95-13). (Real Estate Department) Referred to Finance Committee.

File 064-97-015. [Lease of Property at 2299 Market Street] Resolution authorizing a lease of real property at 2299 Market Street, San Francisco (The AIDS/HIV Life Center), for the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 172-97-061. [Calaveras Reservoir Stream Release Agreement] Resolution approving a Memorandum of Understanding between the San Francisco Public Utilities Commission and the California Department of Fish and Game regarding release of water from Calaveras Reservoir. (Public Utilities Commission). Referred to Health, Family and Environment Committee.

File 172-97-062. [Contract with Golden Gate Genealogy] Resolution authorizing the Chief Probation Officer to enter into a contract with Golden Gate Genealogy for the procurement of assets bequeathed to the Youth Guidance Center. (Juvenile Probation) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that letter be sent to the Human Rights Commission asking for a review of the recently released 1996 Audit of Violence Against Asian Pacific Americans and preparation of a report on its findings.

By Supervisor Yee, that letter be sent to the Human Rights Commission to inquire into the alleged acts of employment discrimination on the basis of race at United Parcel Service.

By Supervisor Ammiano, that letter be sent to the Port Commission requesting a response to neighbors complaints regarding noise produced by the take off and landing of the sea plane at Pier 39.

By Supervisor Ammiano, that letter be sent to the Environment Commission requesting a review of the new Air Quality Element of the City's General Plan and requesting Commission forward any proposed amendments to the Director of Planning for his review and consideration.

By Supervisor Ammiano, that letter be sent to the Director of Public Health requesting a review of the potential health impacts of diesel exhaust, with a specific focus on MUNI workers and on residents in the immediate vicinity of MUNI's diesel bus storage and maintenance facilities and along heavily traveled diesel bus lines such as the 38 Geary Line.

By Supervisor Ammiano, that letter be sent to the Mayor and appropriate City Departments urging them to provide whatever assistance is appropriate to San Francisco's Sister City, Assisi, Italy in coping with the impact of the recent earthquake.

By Supervisor Leal, that letter be sent to all Department Heads requesting each department affirm, in writing, departmental compliance with Charter Section 9.115 and Administrative Code Section 3.14 regarding the adequacy of departmental budgets to meet service levels as approved in the 1997-98 Budget. Response requested by October 15, 1997.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Richard Swig (By the entire Board)
Frieda Schwartz (Supervisor Katz)

File 2-97-34

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:29 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 24, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, October 6, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 6, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Leal - 1.

Quorum present.

Supervisor Leal was noted present at 2:02 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Brown, moved that the Journals of Proceedings for Monday, July 14 and July 21, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng, Yaki, Yee - 11.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Grants - Application, Accept/Expend Procedures]

Ordinance amending Administrative Code, authorizing Department Heads to apply for Federal, State or other grants and changing procedures for the acceptance and expenditure of grants. (Supervisors Kaufman, Medina)

File 97-97-42, Ordinance No. 391-97

(Amends Sections 10.170 through 10.170-3.)

Finally passed.

[Settlement Authority - Claims/Litigation]

Ordinance amending Administrative Code, by increasing the allowance of settlement from \$5,000 to \$25,000 of unlitigated claims, litigation, and claims in favor of the City and County; requiring quarterly reports. (Supervisors Kaufman, Medina)

File 97-97-43, Ordinance No. 392-97

(Amends Sections 10.20-9, 10.21, 10.22, 10.22-2, and 10.24.)

Finally passed.

[State Disability Insurance]

Ordinance amending Administrative Code, authorizing the Human Resources Director to enroll qualifying employee classifications into the State Disability Insurance program without further approval of the Board of Supervisors. (Supervisors Kaufman, Medina)

File 97-97-45, Ordinance No. 393-97

(Adds Section 16.9-31.)

Finally passed.

[Taxation, Domestic Partner Owned Business]

Ordinance amending Municipal Code, Part III, to provide that whenever a spousal unit is treated as a single person, a domestic partnership shall likewise be treated as a single person. (Supervisors Leal, Amiano, Newsom, Bierman, Kaufman, Teng, Brown, Medina, Katz)

File 127-97-8, Ordinance No. 402-97

(Adds Section 1002.8.5.)

Finally passed.

Recommendations of Health, Family and Environment Committee

Adopted

[Gift Acceptance]

Resolution authorizing the Department of Public Health AIDS Office, to accept a gift valued at \$131,000 from the Microsoft Corporation, to provide software for the computerized client registration system called, "Reggie". (Department of Public Health)

File 38-97-9, Resolution No. 929-97

Adopted.

[Joint Licensing Agreement]

Resolution authorizing the Department of Public Health AIDS Office to enter into a Joint Licensing Agreement with the San Francisco AIDS Foundation for the development of software for the Client Registration System, called "Reggie". (Department of Public Health)

File 172-97-57, Resolution No. 953-97

Adopted.

[Acceptance/Expenditure to State Grant Funds]

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for 1997-98. (Department of Public Health)

File 146-97-16, Resolution No. 950-97

Adopted.

[State Grant, CA. Dept. of Health Services]

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$3,884.31, from the California Department of Health Services, to enhance departmental electronic communication capability; providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health)

File 146-97-17, Resolution No. 951-97

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Settlement of Union Grievance]

Ordinance authorizing settlement of the grievance filed by SEIU, Local 790, on behalf of Torrance Scales regarding his termination from the Department of Public Works in the amount of Thirty-Five Thousand One Hundred Eighty-Three Dollars (\$35,183), less applicable taxes and withholdings. (City Attorney)

File 45-97-89, Ordinance No.

Passed for second reading.

[Antonio Dropeza v. CCSF, et al]

Ordinance authorizing settlement of litigation of Antonio Dropeza against the City and County by payment of \$11,460.41. (City Attorney)

File 45-97-90, Ordinance No.

(Superior Court No. 971-626.)

Passed for second reading.

[Pradhan v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Daniel Pradhan by and through his Guardian Ad Litem, Kishore Pradhan against the City and County by payment of \$60,000. (City Attorney)

File 45-97-91, Ordinance No.

(Superior Court No. 966-527.)

Passed for second reading.

[Celestius Blair v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Celestius Blair against the City and County by the payment of \$347,277.51. (City Attorney)

File 45-97-92, Ordinance No.

(U.S. District Court No. C89-4176 WHO.)

Passed for second reading.

[Tropf v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jagger Tropf by and through his Guardian Ad Litem, Richard Tropf against the City and County by payment of \$300,000. (City Attorney)

File 45-97-93, Ordinance No.

(Superior Court No. 979-723.)

Passed for second reading.

[Nancy Swan Leigh v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Nancy Swan Leigh against the City and County by payment of \$6,500. (City Attorney)

File 45-97-94, Ordinance No.

(Superior Court No. 978-477.)

Passed for second reading.

[Jeff Calhoun, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jeff Calhoun against the City and County by payment of \$10,000. City Attorney)

File 45-97-95, Ordinance No.

(Superior Court No. 972-134.)

Passed for second reading.

[Pierre Merk1 and David Baross v. CCSF]

Ordinance authorizing settlement of litigation of Pierre Merk1 and David Baross against the City and County by payment of \$10,500. (City Attorney)

File 45-97-96, Ordinance No.

(Superior Court No. 972-405.)

Passed for second reading.

[Rosetta Mullins v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rosetta Mullins against the City and County by payment of \$16,000. (City Attorney)

File 45-97-97, Ordinance No.

(Superior Court No. 975-120.)

Passed for second reading.

[Olga Ruth Pena v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Olga Ruth Pena against the City and County by payment of \$7,000. (City Attorney)

File 45-97-98, Ordinance No.

(Municipal Court No. 133-105.)

Passed for second reading.

[Jay Tate, Jr. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jay Tate, Jr. against the City and County by payment of \$17,500. (City Attorney)

File 45-97-99, Ordinance No.

(Superior Court No. 975-596.)

Passed for second reading.

[Yen X. To v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Yen X. To against the City and County by payment of \$12,500. (City Attorney)

File 45-97-100, Ordinance No.

(Superior Court No. 985-433.)

Passed for second reading.

[Aetna Casualty and Surety Corp. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Aetna Casualty and Surety Corporation (Insured: Harold Hotel), against the Fire Department by payment of \$13,700. (City Attorney)

File 45-97-101, Ordinance No.

(Municipal Court No. 138-048.)

Passed for second reading.

[Filipo Togia v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Filipo Togia against the City and County by payment of \$101,000. (City Attorney)

File 45-97-102, Ordinance No.

(Superior Court No. 975-547.)

Passed for second reading.

[James Kemsey v. CCSF, et al.]

Ordinance authorizing settlement of litigation of James Kemsey against the City and County by payment of \$400,000. (City Attorney)

File 45-97-103, Ordinance No.

(Superior Court No. 975-619.)

Passed for second reading.

[Antoinette Blue, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Antoinette Blue, et al. against the City and County by payment of \$25,000. (City Attorney)

File 45-97-104, Ordinance No.

(Contra Costa Superior Court No. 95-04961.)

Passed for second reading.

[Eric Wozniak v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Eric Wozniak against the City and County by payment of \$51,920 plus 7% interest from date of settlement, March 12, 1997, to date of payment on claim. (City Attorney)

File 45-97-105, Ordinance No.

(Superior Court No. 970-243.)

Passed for second reading.

Adopted

[Settlement of Claim, Cora P. Hughes]

Resolution approving the settlement of the unlitigated claim of Cora P. Hughes by payment of \$20,000.00. (City Attorney)

File 48-97-61, Resolution No. 932-97

Adopted.

[Settlement of Claim, Myrtle Coleman]

Resolution approving the settlement of the unlitigated claim of Myrtle Coleman by payment of \$7,042.21. (City Attorney)

File 48-97-62, Resolution No. 933-97

Adopted.

[Settlement of Claim, Anne Marie Senan]

Resolution approving the settlement of the unlitigated claim of Anne Marie Senan/Geico Insurance Corporation by payment of \$10,192.08. (City Attorney)

File 48-97-63, Resolution No. 934-97

Adopted.

[Settlement of Claim, Heather Edmunds]

Resolution approving the settlement of the unlitigated claim of Heather Edmunds by payment of \$6,000. (City Attorney)

File 48-97-64, Resolution No. 935-97

Adopted.

[Settlement of Claim, Chang Zeng]

Resolution approving the settlement of the unlitigated claim of Chang Zeng dba Tung Fong Trading by payment of \$9,747.35. (City Attorney)

File 48-97-65, Resolution No. 936-97

Adopted.

[Settlement of Claim, Howard Johnson Hotel]

Resolution approving the settlement of the unlitigated claim of Howard Johnson Hotel by payment of \$8,058.37. (City Attorney)

File 48-97-66, Resolution No. 937-97

Adopted.

[Settlement of Claim, State Farm Insurance]

Resolution approving the settlement of the unlitigated claim of State Farm Insurance (Acker) by payment of \$6,623.63. (City Attorney)

File 48-97-67, Resolution No. 938-97

Adopted.

[Settlement of Claim, Stacy Lo]

Resolution approving the settlement of the unlitigated claim of Stacy Lo (a minor) by payment of \$9,662.11. (City Attorney)

File 48-97-68, Resolution No. 939-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

(Only one of following two motions should be adopted.)

Adopted

[Zoning Appeal, 1501 Lincoln Way]

Motion approving decision of the Planning Commission by its Motion No. 14439, approving Conditional Use Application No. 97.307C, on property located at 1501 Lincoln Way, southwest corner at 16th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-5.1

(September 29, 1997 - Consideration continued to October 6, 1997.)

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Bierman, Medina - 3.

Tabled

[Zoning Appeal, 1501 Lincoln Way]

Motion disapproving decision of the Planning Commission by its Motion No. 14439, approving Conditional Use Application No. 97.307C, on property located at 1501 Lincoln Way, southwest corner at 16th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-5.2

(September 29, 1997 - Consideration continued to October 6, 1997.)

Supervisor Yaki, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Bierman, Medina - 3.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 97.307C, on property located at 1501 Lincoln Way, southwest corner at 16th Avenue, for action by the Board at its next meeting.

File 37-97-5.3

(September 29, 1997 - Consideration continued to October 6, 1997.)

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Bierman, Medina - 3.

Recommendations of Finance Committee

Finally Passed

[Regulation of Lobbyists]

Ordinance amending Administrative Code to: Broaden the definition of City officers to include members of the Board of Education, Community College Board, Housing Authority, Redevelopment Agency, and Transportation Authority; increase lobbyist registration fees to \$300 from \$35; increase lobbyist client fees to \$50 from \$15; increase late filing fees to \$25 per day from \$10 per day; and provide that whenever a lobbyist is required to report the salary of an employee who is also an officer of the City and County, the lobbyist need only disclose whether the total salary payment was less than or equal to \$250, greater than \$250 but less than or equal to \$1,000, greater than \$1,000 but less than or equal to \$10,000, or greater than \$10,000. (Ethics Commission)

File 97-97-35, Ordinance No. 390-97

(Amends Sections 16.523, 16.524, and 16.526.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Repeal Regulatory Fee, Temporary Relocation]

Ordinance amending Administrative Code, to provide that the Department of Public Health will directly pay for the costs of temporarily relocating families with lead poisoned children, and deleting that portion that provided that costs of short term relocation for families with lead poisoned children and associated administrative costs be paid for by the fees collected pursuant to Administrative Code Chapter 73. (Supervisor Kaufman)

File 97-97-49, Ordinance No. 394-97

(Fiscal Impact.)

(Amends Sections 72.1 through 72.4;

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Repeal Fee, Lead Hazard Abatement Program]

Ordinance amending Administrative Code by repealing Chapter 73, to delete regulatory fee to cover reasonable costs incurred by the Department of Public Health in administering the childhood lead hazard abatement program and the costs of temporarily relocating families with lead poisoned children. (Supervisor Kaufman)

File 97-97-50, Ordinance No. 395-97

(Repeals Sections 73.1 through 73.9.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Repeal Fund, Lead Abatement]

Ordinance amending Administrative Code by repealing Section 10.117-116 to delete the Relocation Assistance and Lead Administration Fund into which regulatory fees to provide for the costs of relocation assistance and administration incurred in the remediation of lead hazards in residential units occupied by a lead poisoned child could be deposited; companion measure to Files 97-97-49 and 97-97-50. (Supervisor Kaufman)

File 97-97-51, Ordinance No. 396-97

(Repeals Section 10.117-116.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Economic Development, Transportation
and Technology Committee

Finally Passed

[Alcohol Consumption]

Ordinance amending Police Code, to exempt from prohibition the consumption of alcohol at prescribed areas and times for which permission has been granted by the Department of Public Works pursuant to Article 5.2 of the Public Works Code, as set forth herein and urging other official action in connection therewith. (Supervisors Newsom, Kaufman, Medina, Teng, Ammiano, Bierman, Yaki)

File 121-97-6, Ordinance No. 400-97

(Amends Section 21.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Leal - 1.

From Redevelopment Agency

Adopted

[Findings]

Motion adopting findings in response to written objections received from an affected property owner at/or prior to the September 22, 1997 public hearing on the Federal Office Building Redevelopment Plan and amendments to the Embarcadero-Lower Market (Golden Gateway) and South of Market Earthquake Recovery Redevelopment Plans. (Redevelopment Agency)

File 161-97-8.1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

From Committee of the Whole

Passed for Second Reading

[Federal Office Building Redevelopment Plan]

Ordinance approving and adopting the Redevelopment Plan for the Federal Office Building Redevelopment Project Area and merging said Redevelopment Plan with the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area and the South of Market Earthquake Recovery Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 161-97-8, Ordinance No.

(September 22, 1997 - Consideration continued to October 6, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Embarcadero-Lower Market Redevelopment Project]

Ordinance amending Ordinance No. 301-59, which approved the Redevelopment Plan for the Embarcadero-Lower Market (Golden Gateway) Project Area, and ordinances amending said Redevelopment Plan, namely ordinances numbered 208-61, 196-64, 194-64, 123-67, 204-68, 479-76, 476-86, 418-94 and 365-95 by further amending said Redevelopment Plan to merge the Embarcadero-Lower Market (Golden

Gateway) Project Area into a Merged Redevelopment Project consisting of the South of Market Earthquake Recovery Redevelopment Project Area, the Embarcadero-Lower Market (Golden Gateway) Project Area and the Federal Office Building Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 73-97-1, Ordinance No.

(September 22, 1997 - Consideration continued to October 6, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[South of Market Earthquake Recovery Project]

Ordinance amending Ordinance No. 234-90, which approved the Redevelopment Plan for the South of Market Earthquake Recovery Redevelopment Project Area, and ordinances amending said Redevelopment Plan, namely ordinances numbered 431-94 and 364-95 by further amending said Redevelopment Plan to merge the South of Market Earthquake Recovery Redevelopment Project Area into a merged Redevelopment Project consisting of the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area, The South of Market Earthquake Recovery Redevelopment Project Area, and the Federal Office Building Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 73-97-2, Ordinance No.

(September 22, 1997 - Consideration continued to October 6, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Trial Courts]

Ordinance appropriating \$1,122,757, Trial Courts, of Courthouse Construction Fund balance, for other contractual services, professional services, equipment and capital improvement for fiscal year 1997-98, placing \$250,850 on reserve. (Controller)

File 101-97-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Salary Ordinance, Department of Business and Economic Development]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Business and Economic Development, reflecting the creation of two (2) positions (Class 1371 Special Assistant XII and Class 1374 Special Assistant XV). (Department of Human Resources) (Also See File 101-97-10.1)

File 102-97-5, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Arbitrator's Award, Local 21]

Ordinance implementing the provisions of an Arbitrator's Award dated May 17, 1997 resolving a grievance between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County and providing for the wages of employees assigned to work out of classification as Project Managers. (Department of Human Resources)

File 93-97-48, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Emergency Response Fee Increase]

Ordinance amending Article 10A, Part III, Municipal Code, to increase the amount of the fee, effective December 1, 1997, and to eliminate the estimate of project costs, and to make additional findings and deleting Section 758 which provided for payment of conversion costs to service suppliers required to collect the emergency response fee. (Mayor)

File 127-97-1.1, Ordinance No.

(Fiscal Impact.)

(Amends Sections 751, 752, 753, 755, 756;

Adds Section 752.1;

Deletes Section 758.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Emergency Repair, Auxiliary Water Supply System]

Resolution authorizing retroactively, the Fire Department to take necessary measures to protect the health and safety of the citizens of San Francisco by performing the necessary work to repair the Auxiliary Water Supply System (AWSS) main break on Fifth Street near King Street. (Fire Department) (Also See File 101-95-61.7)

File 28-97-7, Resolution No. 928-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Treasure Island, Rubicon Programs Contract]

Resolution authorizing and approving retroactively a contract with Rubicon Programs Incorporated, a non-profit organization, for maintenance and landscaping services on the Naval Treasure Island without competitive bidding, consistent with Board of Supervisors Resolution No. 672-96, for a term of one year and fee of \$850,000; and finding that such services can be performed at a lesser expense than similar work performed by employees of the City and County, subject to certain conditions. (Supervisor Yaki)

File 172-97-63, Resolution No. 955-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Anti-Tobacco Advertising Funds]

Resolution accepting Anti-Tobacco Advertising and Education Funds made available in Janet C. Mangini v. R.J. Reynolds Tobacco Company, et al. (Supervisor Kaufman)

File 194-97-2.1, Resolution No. 957-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 6.21 in order to specify duties and relationships for Legislative Analysts. (Clerk of the Board)

File 56-97-8

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Recommendations of Health, Family and Environment Committee

Adopted

[Tobacco Settlement]

Resolution opposing the current proposal to settle lawsuits against the tobacco companies presented to Congress and President Bill Clinton. (Department of Public Health)

File 194-97-7, Resolution No. 95B-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Passed for Second Reading as Amended

[Hazardous Materials/Waste Unified Program]

Ordinance amending Health Code, to conform hazardous materials and hazardous waste regulation to Federal and State Laws regulating the handling of hazardous materials and hazardous waste, addressing hazardous materials risk management plans; to designate the Department of Public Health as the certified unified program agency for San Francisco, authorize the Department of Public Health to collect fees for the administration of unified program elements, and eliminate requirements to obtain acutely hazardous materials permits, and to conform to State laws regulating hazardous waste and authorizing the Department of Public Health to collect fees from generators and certain treaters of hazardous waste. (Department of Public Health)

File 118-97-4, Ordinance No.

(Amending Articles 21 and 22; adds a new Article 21A;

amending Sections 1101, 1102, 1103, 1103.2, 1103.3, 1105, 1110, 1110.1, 1114, 1115, 1117, 1120, 1120.1, 1121, 1123, 1124, 1130, 1131, 1132, 1133, 1134, 1137, 1140, 1141, 1142, 1151, 1152, 1153, 1154, 1155, 1160, 1162, 1175.3, 1175.4, 1175.5, and 1176;
deletes Sections 1111, 1110.2 and 1120.2, and renumbering former Section 1110.3 as new Section 1111;
amending Article 22 by amending Sections 1201 through 1208, and adding new Section 1209.)

Supervisor Bierman, seconded by Supervisor Katz, moved to amend Page 93, Line 13 and Page 93, Lines 5 and 6 to change the word "Limited" to "Minimal" and "LOG" to "MOG".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Recommendations of Rules Committee

Adopted

[Waiving Statute of Limitations]

Resolution waiving the Statute of Limitations with respect to payment of certain warrant of the City and County, in the amount of \$2,828,78, a legal obligation of the City and County of San Francisco. (Controller)

File 23-97-1, Resolution No. 926-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing members to the Child Care Planning and Advisory Council. (Rules Committee)

File 92-97-8.4, Resolution No. 943-97

(Carol A. Rector, Seat No. 29603, Private Center Child Care Provider;
Cheryl Polk, Seat No. 29618, Philanthropy Representative;
Richelle Jones, Seat No. 29619, Client of Publicly Subsidized Child Care Program;
Edna Hazard, Seat No. 29620, Client of Publicly Subsidized Child Care Program.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing members to the Sunshine Ordinance Task Force, must be member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, resigned, for unexpired portion of two-year terms ending April 27, 1998. (Rules Committee)

File 92-97-30.1, Resolution No. 944-97

(Ruach Graffis, vice Marilyn Smulyan, Seat No. 27114;
Timothy T. Taylor, vice Byron McQuarters, Seat No. 27113.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for new two-year terms ending July 15, 1999. (Rules Committee)

File 92-97-32.1, Resolution No. 945-97

(Geoffrey Kors, vice Parker A. Maddux, Seat 23301;
Henry Louie, vice Bernie F. Lee, Seat 23321.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing members to the Adult Day Health Care Planning Council, for new three-year terms ending September 30, 1999. (Rules Committee)

File 92-97-37.2, Resolution No. 946-97

(Mary Wong, vice herself, Seat No. 20004, age group, term expired;
Walter M. De Vaughn, vice Lucille Ramstetter, Seat No. 20001, age group, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for unexpired portion of two-year term ending July 15, 1998. (Rules Committee)

File 92-97-39, Resolution No. 947-97

(Kevin Fox, vice Winston Mathis, Seat No. 23308, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Passed for Second Reading

[Police Department Memberships]
Ordinance amending Administrative Code, relating to Police Department memberships by adding specified organizations. (Police Department)

File 97-97-55, Ordinance No.

(Amends Section 16.6-47.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Adopted

[Assessment Appeals Board Rules]
Motion adopting additional Assessment Appeals Boards procedural rules. (Assessment Appeals Board)

File 129-97-1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Reconsideration of Denied Application]
Resolution adopting an Assessment Appeals Board procedure to reconsider an application denied for lack of appearance by the applicant. (Assessment Appeals Board)

File 129-97-2, Resolution No. 948-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Public Comment, Assessment Appeals Hearings]
Resolution adopting an Assessment Appeals Board procedure to allow public comment in its hearings. (Assessment Appeals Board)

File 129-97-3, Resolution No. 949-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to decision of Planning Commission by its Motion 14442, dated August 14, 1997, approving Conditional Use Application No. 96.319C, for conditional use authorization to demolish and replace residential use above the ground floor in the Upper Fillmore Street Neighborhood District (NCD) and 40-X Height and Bulk District, on property located at 2548 California Street, north side between Pierce and Steiner Streets; Lot 9 in Assessor's Block 634.

File 37-97-6

(Appeal filed September 16, 1997.)

(Categorically exempt from the environmental review process pursuant to Class exemptions of Title 14 of the California Administrative Code.)

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors (401 Van Ness Avenue, Room 308; San Francisco, CA 94102.) at, or prior to, the public hearing.)

The following persons were sworn in and granted privilege of the floor:

Monday, October 6, 1997

Appellants: Dr. Anthony Corso, Karen Pearson, D. Edwin Samlley, James Scott, Patricia Vaughey, and Courtney Clarkson.

Respondents: Robert Passmore, representing City Planning Commission and the Planning Department; Karen Pasen, Ann Marie Vingo, Laura Cheung, Virginia Lee, Robert Becker.

A rebuttal period was allowed.

The President then declared the hearing closed.

(Only one of following two motions should be adopted.)

Adopted

[Zoning Appeal, 2548 California Street]

Motion approving decision of the Planning Commission by its Motion No. 14442, approving Conditional Use Application No. 96.319C, on property located at 2548 California Street, north side between Pierce and Steiner Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-6.1

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

Tabled

[Zoning Appeal, 2548 California Street]

Motion disapproving decision of the Planning Commission by its Motion No. 14442, approving Conditional Use Application No. 96.319C, on property located at 2548 California Street, north side between Pierce and Steiner Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-6.2

Supervisor Teng, seconded by Supervisor Medina, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 96.319C, on property located at 2548 California Street, north side between Pierce and Steiner Streets, for action by the Board at its next meeting.

File 37-97-6.3

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, accessibility of Board Chambers at City Hall;
Patricia Vaughey, antenna sites in City;
Laboraie P. Smoore, police brutality;
Ruth Smith, death of children in foster care;
Karen Oliver, foster parent to child with out-of-state family;
Gilbert Baker, petition for flagpole monument for Harvey Milk.

There being no one else wishing to speak, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[a.k.a. Don Bonus Day]

Resolution commending Spencer Nakasako, Sokly Ny, the National Asian American Telecommunications Association and the Vietnamese Youth Development Center; and declaring September 29, 1997 as "a.k.a. Don Bonus Day" in the City and County of San Francisco. (Supervisors Teng, Katz, Medina)

File 6-97-169, Resolution No. 906-97

(September 29, 1997 - Introduced in Board for consideration on October 6, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commending Juma Ventures]

Resolution commending Juma Ventures on their success in training and employing Bay Area youth. (Supervisors Yaki, Bierman, Katz, Medina)

File 6-97-170, Resolution No. 907-97

(September 29, 1997 - Introduced in Board for consideration on October 6, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commending World War II Veterans]

Resolution commending the Veterans of the 100th-442nd MIS for their tremendous courage during World War II. (Supervisors Yaki, Bierman, Katz, Medina)

File 6-97-171, Resolution No. 908-97

(September 29, 1997 - Introduced in Board for consideration on October 6, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commending Gustavo Aguilar]

Resolution commending Gustavo Aguilar for his commitment to bilingual education, and his courage in raising concerns about the Oakland Unified School District's Bilingual Education Program. (Supervisors Yee, Katz, Medina)

File 6-97-172, Resolution No. 909-97

(September 29, 1997 - Introduced in Board for consideration on October 6, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commending Sojourner Truth Center]

Resolution commending Sojourner Truth Family Resource Center on its grand opening. (Supervisors Brown, Bierman, Katz, Medina)

File 6-97-173, Resolution No. 910-97

(September 29, 1997 - Introduced in Board for consideration on October 6, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commending Judge Little and Judge Tang]

Resolution commending Judge Donna Little and Judge Julie Tang for their courage, commitment and hard work in creating and implementing a Domestic Violence Court in San Francisco. (Supervisors Kaufman, Bierman, Katz, Medina)

File 6-97-174, Resolution No. 911-97

(September 29, 1997 - Introduced in Board for consideration on October 6, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Supporting H.R. 2135]

Resolution urging the U.S. Congress to pass H.R. 2135, the International Tobacco Responsibility Act of 1997, which would prohibit any employee or agency of the federal government from promoting the export of cigarettes or other tobacco products and bar them from attempting to reduce foreign restrictions on the advertising, manufacturing, packaging, taxation, sale or distribution of tobacco products. (Supervisors Bierman, Katz, Medina)

File 13-97-30, Resolution No. 924-97

(September 29, 1997 - Introduced in Board for consideration on October 6, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Semi-Annual City-Wide Cleanup Day]

Resolution supporting the Department of Public Works, the Mayor's Office, other City and County agencies, the private business sector, and community organizations to form a task force to organize a Semi-Annual City-Wide Cleanup Day that will include litter removal and street cleaning and designating November 8, 1997 as the first Semi-Annual City-Wide Cleanup Day, establishing it as the policy of the City and County to organize a Semi-Annual Cleanup Day. (Supervisors Teng, Kaufman, Bierman, Katz, Medina)

File 43-97-4, Resolution No. 931-97

(September 29, 1997 - Introduced in Board for consideration on October 6, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Brown Act Finding]

Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Imperative Resolutions]

Adopted

[Proclamation-E. Robert Scrofani Day]

Resolution declaring Sunday, October 5, 1997, E. Robert Scrofani Day to recognize his generosity, love of the arts and general joie de vivre, which contributed so much to San Francisco.

File 004-97-044, Resolution No. 904-97

Supervisor Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Proclamation-Worldcom Americas Region Day]

Resolution declaring Saturday, October 11, 1997, Worldcom Americas Region Day in San Francisco.

File 004-97-045, Resolution No. 905-97

Supervisor Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Commendation-Metropolitan Community Church]

Resolution recognizing the Metropolitan Community Church and other Christian churches for fostering unity in the face of oppression.

File 006-97-175, Resolution No. 912-97

Supervisor Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Commending San Francisco District Attorney]

Resolution commending the San Francisco District Attorney's Office for advocacy work in same-sex/transgender domestic violence.

File 006-97-176, Resolution No. 913-97

Supervisors Katz, Kaufman, Medina, Bierman, Brown, Newsom presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Commendation-Annunciation Cathedral Parishioners]

Resolution commending parishioners of the historic Annunciation Cathedral damaged in the 1989 Loma Prieta earthquake for their efforts to raise funds for the construction of a new cathedral by organizing the popular Greek Food Festival each October and proclaiming October 10-12, 1997 "San Francisco Greek Food Festival Weekend" in the City and County of San Francisco.

File 006-97-177, Resolution No. 914-97

Supervisor Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Opposing NASA's Cassini Mission]

Resolution urging NASA to rescind its intent to launch the Cassini Mission, a plutonium laden rocket.

File 013-97-031, Resolution No. 960-97

Supervisor Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Excelsior Youth Center Gift Acceptance]

Ordinance amending Administrative Code by adding Section 10.117-119 which authorizes the acceptance and expenditure of gift funds for the construction of the Excelsior Youth Center and establishes the Excelsior Youth Center Fund. Supervisor Teng presented. Referred to Finance Committee.

File 097-97-060.

[Tour Bus Prohibition-15th Avenue]

Ordinance amending Ordinance Nos. 115-96, 282-96, and 270-97, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio, to provide that this prohibition on tour buses shall expire on December 31, 1999, rather than October 31, 1997. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 121-97-003.01.

[Tour Bus Prohibition-25th Avenue]

Ordinance amending Ordinance Nos. 88-96, 281-96, and 271-97 which amended the Police Code to prohibit tour buses on El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar, to provide that this prohibition on tour buses shall expire on December 31, 1999, rather than October 31, 1997. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 121-97-004.01.

[Sidewalk and Encroachment Permit Appeals]

Ordinance amending the Public Works Code by amending Section 723.2 to provide that appeals from sidewalk and encroachment permit decisions relating to building construction, rehabilitation or maintenance may be appealed to either the Building Inspection Commission or the Board of Supervisors; provided however that appeals to the Board of Supervisors waive the right of appeal to the Building Inspection Commission. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 123-97-006.

[City Seal on Harvey Milk Burial Marker]

Ordinance authorizing the official corporate seal of the City and County of San Francisco to be used on the burial site and marker of Harvey Milk, former Supervisor of the City and County of San Francisco. Supervisor Katz presented. Referred to Rules Committee.

File 197-97-002.

Referred to Board

[Commending Staff of West Wing Newspaper]

Resolution recognizing the advisor and staff of the West Wing newspaper for outstanding journalistic accomplishment. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 006-97-178.

[Commendation-Police Officer Ben Manning]

Resolution recognizing Police Officer Ben Manning as San Francisco's Top Cop for September 1997. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 006-97-179.

[Commending John Woo]

Resolution commending John Woo for his outstanding creative contributions to the film arts and his groundbreaking success as a Director and declaring October 11, 1997 as "John Woo Day" in the City and County of San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 006-97-180.

[Commending Chinese Culture Center]

Resolution commending the Chinese Cultural Center for its critical role in promoting cultural exchange and understanding of Chinese culture. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 006-97-181.

[Commending San Francisco Beautiful]

Resolution commending San Francisco Beautiful for its devotion to creating, enhancing and retaining civic beauty and declaring October 6, 1997 as "San Francisco Beautiful Day" in San Francisco. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 006-97-182.

[Commending Senior Action Network]

Resolution commending the Senior Action Network for its efforts in advancing senior rights' issues and commitment to improving the lives of San Franciscans on the occasion of its Seventh Annual Convention on October 9, 1997. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 006-97-183.

[Commending Chinese Historical Society of America]

Resolution commending the Chinese Historical Society of America for its efforts to preserve and chronicle Chinese American history by creating a National Chinese American Museum. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 006-97-184.

[Supporting Filipino Veterans' Equity Act]

Resolution urging the United States Senate to pass S.623 to amend the inequity of veterans benefits currently denied to Filipino-Americans who have served the United States during World War II and directing the Clerk to forward a copy of this resolution to the City's lobbyist in Washington, D.C., California's Senators and San Francisco's congressional representatives. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 013-97-032.

Referred to Committee

[Tour Bus Program Policy]

Resolution declaring it to be the policy of the Board of Supervisors to implement a tour bus program that would: include provisions related to tour buses in the Transportation Element of the General Plan; develop an agreement between the City and the Golden Gate National Recreation Area for the enforcement of tour bus regulation; cause to be dispersed more widely easily visible signs notifying and warning drivers and residents of tour bus regulations; result in education of tour bus drivers by their employers; lead to the adoption of permanent regulations regarding tour buses by December 31, 1999; and declare it to be the policy of the Board of Supervisors not to consider further restrictions on tour buses (except for those pending) until the elements of this program shall have been implemented. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 043-97-005.

[Treasure Island Lease]

Resolution approving and authorizing a lease with the United States Navy regarding the use of the Fire Training School, Hangars 2, 3, and 180, the Treasure Island Marina and Great Lawn and the Admiral Nimitz Mansion on Naval Station Treasure Island. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 064-97-017.

[Affinity Credit Card Program]

Resolution authorizing the Director of Administrative Services to enter into an operating and licensing agreement with the San Francisco Convention and Visitors Bureau for the development and operation of a San Francisco Affinity Credit Card Program. Supervisor Bierman presented. Referred to Finance Committee.

File 172-97-066.

[City-Wide Pedestrian Safety Campaign]

Resolution urging the Department of Parking and Traffic to coordinate a city-wide pedestrian safety campaign with the Department of Public Health and the San Francisco Unified School District and help secure federal and state grants to fund the campaign. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 190-97-014.

Referred to Board

[Old Fort Mason Rail Tunnel]

Resolution urging the Golden Gate National Recreation Area to consider converting the Old Fort Mason Rail Tunnel into a bicycle path. Supervisors Medina, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 190-97-015.

Requests for Hearings:

[Alternative Fuel Infrastructure at Airport]

Hearing to consider encouraging the San Francisco International Airport to develop an alternative fuels infrastructure, including a fast fueling option for compressed natural gas and electric charging infrastructure. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 192-97-011.

[Heroin Usage and Treatment On Demand]

Hearing to consider the subject of heroin usage, to specifically address the topics of treatment on demand, why San Francisco is number three in the country and number one in the State on heroin related hospital admittance, and what preventive steps we can take; requesting the Health Department, Department of Human Services; San Francisco General Hospital, Police Department and interested parties to attend. Hoped for outcomes: to explore all possible ways of reducing the number of persons addicted to heroin; to promote the cost-effective method of prevention; to ensure sufficient treatment on demand; and to investigate the correlation between heroin abuse and crime. Supervisor Newsom presented. Referred to Health, Family and Environment Committee.

File 030-97-019.

[Religious Service Providers Task Force Report]

Hearing to consider the findings in the Human Rights Commission's Religious Service Providers Task Force Report. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 108-97-006.

[Rebuilding the Delta Hotel]

Hearing to consider report from the San Francisco Redevelopment Agency on the feasibility of using redevelopment funds to rebuild the Delta Hotel and working with non-profit housing developers to develop affordable housing. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 161-97-009.

[Interim Controls-Telecommunications Equipment]

Hearing to consider interim controls on the placement of new telecommunications equipment pending development and adoption of a Telecommunications Equipment Master Plan for the City and County of San Francisco. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 189-97-004.

[Valencia Street Bike Lanes]

Hearing to consider implementing the Bicycle Plan by striping bike lanes on Valencia Street and providing a forum for input from neighbors, merchants, bicyclists and the Department of Parking and Traffic. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 190-97-002.03.

[Abuse of Parking Control Officers]

Hearing to consider the subject of physical assaults and abuses endured by Parking Control Officers; requesting Parking Control Officers, District Attorney's Office, Local 790 PCO, Police Department and all other interested parties attend. Hoped for outcomes: to call attention to the problem so that the District Attorney's Office and State Legislature are alerted to its severity and are thus prompted to act accordingly; to investigate common impetus for attacks, if any exist, in an effort to find ways to minimize the risk to PCO's; to brainstorm other ways to mitigate the problem; to ensure that the system of assault pay is being appropriately handled; and to begin discussing the possibility and ramifications of merging the Parking Control Officers with the Police Department. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 190-97-016.

[Status of Stonestown Mall Development]

Hearing to consider concerns associated with the development of the new megamall located at the Stonestown Shopping Center. Supervisors Ammiano, Brown, Bierman, Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 273-97-001.

[Status of Old Mint Building]

Hearing to consider the status of the Old Mint Building at Fifth Street and Mission for which money has been appropriated to fund a feasibility study. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 274-97-001.

[Veterans Building Use]

Hearing to consider the status of the rehabilitation and reprogramming of activities at the Veteran's Building. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 275-97-001.

Motions:

Referred to Committee

[General Obligation Bonds]

Motion ratifying the award of the first series of the General Obligation Refunding Bonds, in an aggregate principal amount not to exceed \$600,000,000. Supervisor Leal presented. Referred to Finance Committee with request it be considered at the October 15, 1997 meeting.

File 170-94-001.03.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar October 14, 1997.

File 030-97-001.18.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-110. [Marcia Greenberg v. CCSF, et al.] Ordinance authorizing settlement of litigation of Marcia Greenberg against the City and County of San Francisco by payment of \$15,000 plus attorneys' fees not to exceed \$35,000. (U.S. District Court Case No. C95-2056 DLJ). (City Attorney) Referred to Rules Committee.

File 045-97-111. [Igor Gindin v. CCSF, et al.] Ordinance authorizing settlement of litigation of Igor Gindin v. City and County of San Francisco by payment of \$69,000. (Superior Court No. 979-665). (City Attorney) Referred to Finance Committee.

File 045-97-112. [Castille Harding, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Castille Harding and Tanya Harding against the City and County of San Francisco by payment of \$8,000. (Superior Court No. 981-827). (City Attorney) Referred to Rules Committee.

File 106-97-001.01. [Setting Schedules of Compensation] Ordinance amending Ordinance No. 275-97 setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior and Municipal Courts for the City and County of San Francisco. (City Attorney) Referred to Finance Committee.

Resolutions Referred to Committee

File 028-97-008. [Emergency Repair, Castlewood Reservoir] Resolution authorizing expenditure of funds in the amount of \$650,000 for the design and construction of replacement wells at Castlewood Reservoir, Alameda County. (Public Utilities Commission) Referred to Finance Committee.

File 048-97-075. [Settlement of Claim, Klaus Zimmerman] Resolution approving the settlement of the unlitigated claim of Klaus Zimmerman by payment of \$7,115. (City Attorney) Referred to Rules Committee.

File 064-97-016. [Lease of Property at 30 Van Ness Avenue] Resolution authorizing a lease of real property at 30 Van Ness Avenue for the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 065-97-013. [Lease of Property] Resolution authorizing and approving the lease of ground on city-owned property for a year-to-year term at the San Francisco County Jail in San Bruno, California, consisting of fourteen acres, to the Garden Project commencing November 1, 1997, without competitive bidding. (Real Estate Department) Referred to Finance Committee.

File 082-97-003. [Rescission of Noise Easements] Resolution authorizing the granting of quitclaim deeds to rescind noise easements acquired from various property owners. (Real Estate Department) Referred to Finance Committee.

File 161-97-008.01. [Findings on Redevelopment Plan] Motion adopting findings in response to written objections received from an affected property owner at/or prior to the September 22, 1997 public hearing on the Federal Office Building Redevelopment Plan and amendments to the Embarcadero-Lower Market (Golden Gateway) and South of Market Earthquake Recovery Redevelopment Plans. (Redevelopment Agency) To Board for consideration October 6, 1997.

File 172-97-065. [City Tow Contract] Resolution ratifying and approving a contract between Pick Your Part Auto Wrecking and the City and County of San Francisco and the First Amendment to such agreement; retroactively authorizing the Executive Director of the Department of Parking and Traffic to execute an amendment to the contract to provide one stop service and further authorizing the Executive Director of the Department of Parking and Traffic and Director of Property to execute an agreement amending said contract by granting a license to Pick Your Part Auto Wrecking for the use of certain City property necessary to provide one stop service, including a portion of the ground floor of 375-7th Street which

is leased by City from the San Francisco Unified School District, a portion of the parking lot at 415-7th Street and a portion of the ground floor of the Hall of Justice Building at 850 Bryant Street, and urging the Mayor to urge the Department of Parking and Traffic to set aside and accumulate monthly fee payments for use in acquiring a permanent tow facility. (Department of Parking and Traffic) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to the City Administrator encouraging quick establishment of a low income rate for cable subscribers and that the low income cable rate mirror the lifeline rate offered by the phone company as closely as possible.

By Supervisors Katz, Ammiano, that letter be sent to the Director of the Department of Public Health requesting a report to the Board of Supervisors within 45 days that:

1. Clarifies the process whereby individuals are currently restricted or suspended from services, to which they would otherwise be entitled, by agencies that receive funding from/or administered by the City and County including:
 - *What are the consistent standards across all agencies?
 - *What are the existing due-process considerations to determine appropriateness of suspensions or restrictions?
 - *Does the Department have input into the process and/or review these actions?
 - *How many individuals have been suspended or restricted from services at contracting agencies administered by the Department to date in the current fiscal year as well as the previous two including the reason for the suspension and type of service the client was using (AIDS, mental health, substance abuse).
2. Analyzes the grievance procedures in place at said agencies,
3. Recommends a uniform, system-wide Department policy applicable to all contracting agencies, including:
 - *Due process review by the Department in advance of such a suspension or restriction;
 - *Advance notice to the client being considered for suspension and the opportunity to engage in defined grievance procedure in advance of the suspension or restriction becoming active;
 - *Specification of behavior and/or situations for which a suspension or restriction from services would be appropriate including:
 - *Recommendation of procedures when a client is verbally abusive or threatening, there is a threat of imminent harm to staff or other clients, a client has engaged in violent behavior, or theft, etc.;
 - *Standards addressing when and how clients may have violated confidentiality of other clients and the appropriateness of suspension or restriction from services for such a violation.
 - *Approval of the Director of the Department of Public Health;
 - *Reasonable alternatives to meet the immediate and critical needs of the client;
 - *A procedure for mediation or an ombudsperson should the grievance procedure not lead to resolution;
 - *A standard procedure to provide all of this information to all current clients and all current clients at the time of initial intake;
 - *A process for restarting services at some future date based on an evaluation of the behavior that lead to the original suspension.
4. Reports on how such suspensions and restrictions from services affect the quality of services available to the residents of the City and County of San Francisco.

By Supervisor Newsom, that letter be sent to the Director of Recreation and Park Department regarding the monitoring of the Palace of Fine Arts grounds and water with regard to trash and other debris, and whether such monitoring can be increased, along with a commitment to making a concerted effort at clearing the debris, particularly after weekends, when park use is highest.

By Supervisor Teng, that letter be sent to the Director of the Mayor's Office of Emergency Services requesting a report to the Board within 60 days summarizing the lessons learned during the emergency response to the Delta Hotel fire and steps which have or will be taken to strengthen that system for future disasters which displace large numbers of persons living in a group setting.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Jo Daly (By the full Board)
Marie Del Toso (Supervisor Bierman)
Richard J. Woods (Supervisor Newsom)
Helen Estrada Guillen (Supervisor Leal)

Monday, October 6, 1997

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:51 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 8, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Tuesday, October 14, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, October 14, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng - 9.

Noted absent at first roll call:

Supervisors Yaki, Yee - 2.

Quorum present.

Supervisor Yee was noted present at 2:07 p.m.

Supervisor Yaki excused. (See infra.)

Supervisor Yaki Excused

The Clerk stated Supervisor Yaki requested to be excused from attending today's meeting because of illness.

Supervisor Leal, seconded by Supervisor Ammiano, moved to excuse Supervisor Yaki from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng - 9.

Absent: Supervisors Yaki, Yee - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Medina, moved that the Journals of Proceedings for Monday, July 28 and August 4, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng - 9.

Absent: Supervisors Yaki, Yee - 2.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Teng requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Housing and Neighborhood Services Committee

Consideration Continued

[Grant, Police Department]

Resolution approving retroactively the application, acceptance and expenditure of a grant awarded by the California Department of Alcohol Beverage Control to the Police Department in the amount of \$100,000. (Supervisors Teng, Leal)

File 143-97-5, Resolution No.

Supervisor Teng, seconded by Supervisor Ammiano, moved to continue consideration to October 20, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng - 9.

Absent: Supervisors Yaki, Yee - 2.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

The Board resumed its consideration of the following items on the Consent Calendar.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Trial Courts]

Ordinance appropriating \$1,122,757, Trial Courts, of Courthouse Construction Fund balance, for other contractual services, professional services, equipment and capital improvement for fiscal year 1997-98, placing \$250,850 on reserve. (Controller)

File 101-97-19, Ordinance No. 404-97

Finally passed.

[Salary Ordinance, Department of Business and Economic Development]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Business and Economic Development, reflecting the creation of two (2) positions (Class 1371 Special Assistant XII and Class 1374 Special Assistant XV). (Department of Human Resources) (Also See File 101-97-10.1)

File 102-97-5, Ordinance No. 398-97

(Fiscal Impact.)

Finally passed.

[Arbitrator's Award, Local 21]

Ordinance implementing the provisions of an Arbitrator's Award dated May 17, 1997 resolving a grievance between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County and providing for the wages of employees assigned to work out of classification as Project Managers. (Department of Human Resources)

File 93-97-48, Ordinance No. 389-97

Finally passed.

[Emergency Response Fee Increase]

Ordinance amending Article 10A, Part III, Municipal Code, to increase the amount of the fee, effective December 1, 1997, and to eliminate the estimate of project costs, and to make additional findings and deleting Section 758 which provided for payment of conversion costs to service suppliers required to collect the emergency response fee. (Mayor)

File 127-97-1.1, Ordinance No. 401-97

(Fiscal Impact.)

(Amends Sections 751, 752, 753, 755, 756;

Adds Section 752.1;

Deletes Section 758.)

Finally passed.

Adopted

[Gift Acceptance, Pacific Gas and Electric Company]

Resolution authorizing the Director of Public Works to accept and expend a gift contribution from Pacific Gas and Electric Company in the amount of \$87,000 to construct new gas and electric services for the 911/OES Emergency Communications Center. (Supervisor Kaufman)

File 38-97-12, Resolution No. 930-97

Adopted.

Recommendations of Rules Committee

Finally Passed

[Settlement of Union Grievance]

Ordinance authorizing settlement of the grievance filed by SEIU, Local 790, on behalf of Torrance Scales regarding his termination from the Department of Public Works in the amount of Thirty-Five Thousand One Hundred Eighty-Three Dollars (\$35,183), less applicable taxes and withholdings. (City Attorney)

File 45-97-89, Ordinance No. 370-97

Finally passed.

[Antonio Oropeza v. CCSF, et al]

Ordinance authorizing settlement of litigation of Antonio Oropeza against the City and County by payment of \$11,460.41. (City Attorney)

File 45-97-90, Ordinance No. 371-97

(Superior Court No. 971-626.)

Finally passed.

[Pradhan v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Daniel Pradhan by and through his Guardian Ad Litem, Kishore Pradhan against the City and County by payment of \$60,000. (City Attorney)

File 45-97-91, Ordinance No. 372-97

(Superior Court No. 966-527.)

Finally passed.

[Celestius Blair v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Celestius Blair against the City and County by the payment of \$347,277.51. (City Attorney)

File 45-97-92, Ordinance No. 373-97

(U.S. District Court No. C89-4176 WHO.)

Finally passed.

[Tropf v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jagger Tropf by and through his Guardian Ad Litem, Richard Tropf against the City and County by payment of \$300,000. (City Attorney)

File 45-97-93, Ordinance No. 374-97

(Superior Court No. 979-723.)

Finally passed.

[Nancy Swan Leigh v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Nancy Swan Leigh against the City and County by payment of \$6,500. (City Attorney)

File 45-97-94, Ordinance No. 375-97

(Superior Court No. 978-477.)

Finally passed.

[Jeff Calhoun, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jeff Calhoun against the City and County by payment of \$10,000. (City Attorney)

File 45-97-95, Ordinance No. 376-97

(Superior Court No. 972-134.)

Finally passed.

[Pierre Merk] and David Baross v. CCSF]

Ordinance authorizing settlement of litigation of Pierre Merk] and David Baross against the City and County by payment of \$10,500. (City Attorney)

File 45-97-96, Ordinance No. 377-97

(Superior Court No. 972-405.)

Finally passed.

[Rosetta Mullins v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rosetta Mullins against the City and County by payment of \$16,000. (City Attorney)

File 45-97-97, Ordinance No. 378-97

(Superior Court No. 975-120.)

Finally passed.

[Olga Ruth Pena v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Olga Ruth Pena against the City and County by payment of \$7,000. (City Attorney)

File 45-97-98, Ordinance No. 379-97

(Municipal Court No. 133-105.)

Finally passed.

[Jay Tate, Jr. v CCSF, et al.]

Ordinance authorizing settlement of litigation of Jay Tate, Jr. against the City and County by payment of \$17,500. (City Attorney)

File 45-97-99, Ordinance No. 380-97

(Superior Court No. 975-596.)

Finally passed.

[Yen X. To v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Yen X. To against the City and County by payment of \$12,500. (City Attorney)

File 45-97-100, Ordinance No. 381-97

(Superior Court No. 985-433.)

Finally passed.

[Aetna Casualty and Surety Corp. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Aetna Casualty and Surety Corporation (Insured: Harold Hotel), against the Fire Department by payment of \$13,700. (City Attorney)

File 45-97-101, Ordinance No. 382-97

(Municipal Court No. 138-048.)

Finally passed.

[Filipo Togia v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Filipo Togia against the City and County by payment of \$101,000. (City Attorney)

File 45-97-102, Ordinance No. 383-97

(Superior Court No. 975-547.)

Finally passed.

[James Kemsey v. CCSF, et al.]

Ordinance authorizing settlement of litigation of James Kemsey against the City and County by payment of \$400,000. (City Attorney)

File 45-97-103, Ordinance No. 384-97

(Superior Court No. 975-619.)

Finally passed.

[Antoinette Blue, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Antoinette Blue, et al. against the City and County by payment of \$25,000. (City Attorney)

File 45-97-104, Ordinance No. 385-97

(Contra Costa Superior Court No. 95-04961.)

Finally passed.

[Eric Wozniak v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Eric Wozniak against the City and County by payment of \$51,920 plus 7% interest from date of settlement, March 12, 1997, to date of payment on claim. (City Attorney)

File 45-97-105, Ordinance No. 386-97

(Superior Court No. 970-243.)

Finally passed.

[Police Department Memberships]

Ordinance amending Administrative Code, relating to Police Department memberships by adding specified organizations. (Police Department)

File 97-97-55, Ordinance No. 397-97

(Amends Section 16.6-47.1.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng - 9.

Absent: Supervisors Yaki, Yee - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 97.307C, for the installation of six panel antennas on the roof and a base transceiver station in the basement of the existing apartment as part of a wireless communications network in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District, on property located at 1501 Lincoln Way, southwest corner at 16th Avenue; Lot 1 in Assessor's Block 1734.

File 37-97-5.4

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yee - 7.

Noes: Supervisors Ammiano, Bierman, Medina - 3.

Absent: Supervisor Yaki - 1.

[Findings]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 96.319C, for demolition and replacement of residential use above the ground floor in the Upper Fillmore Street Neighborhood District (NCD) and 40-X Height and Bulk District, on property located at 2548 California Street, north side, between Pierce and Steiner Streets; Lot 9 in Assessor's Block 634.

File 37-97-6.4

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng - 7.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

Absent: Supervisor Yaki - 1.

Recommendation of Health, Family and Environment Committee

Finally Passed

[Hazardous Materials/Waste Unified Program]

Ordinance amending Health Code, to conform hazardous materials and hazardous waste regulation to Federal and State laws regulating the handling of hazardous materials and hazardous waste, addressing hazardous materials risk management plans; to designate the Department of Public Health as the certified unified program agency for San Francisco; authorize the Department of Public Health to collect fees for the administration of unified program elements, and eliminate requirements to obtain acutely hazardous materials permits; and to conform to State laws regulating hazardous waste and authorizing the Department of Public Health to collect fees from generators and certain treaters of hazardous waste. (Department of Public Health)

File 118-97-4, Ordinance No. 399-97

(Amending Articles 21 and 22; adds a new Article 21A;

amending Sections 1101, 1102, 1103, 1103.2, 1103.3, 1105, 1110, 1110.1, 1114, 1115, 1117, 1120, 1120.1, 1121, 1123, 1124, 1130, 1131, 1132, 1133, 1134, 1137, 1140, 1141, 1142, 1151, 1152, 1153, 1154, 1155, 1160, 1162, 1175.3, 1175.4, 1175.5, and 1176;

deleting Sections 1111, 1110.2 and 1120.2, and renumbering former Section 1110.3 as new Section 1111;

amending Article 22 by amending Sections 1201 through 1208, and adding new Section 1209.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

From Committee of the Whole

Finally Passed

[Federal Office Building Redevelopment Plan]

Ordinance approving and adopting the Redevelopment Plan for the Federal Office Building Redevelopment Project Area and merging said Redevelopment Plan with the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area and the South of Market Earthquake Recovery Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 161-97-8, Ordinance No. 403-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Embarcadero-Lower Market Redevelopment Project]

Ordinance amending Ordinance No. 301-59, which approved the Redevelopment Plan for the Embarcadero-Lower Market (Golden Gateway) Project Area, and ordinances amending said Redevelopment Plan, namely ordinances numbered 208-61, 196-64, 194-64, 123-67, 204-68, 479-76, 476-86, 418-94 and 365-95 by further amending said Redevelopment Plan to merge the Embarcadero-Lower Market (Golden Gateway) Project Area into a Merged Redevelopment Project consisting of the South of Market Earthquake Recovery Redevelopment Project Area, the Embarcadero-Lower Market (Golden Gateway) Project Area and the Federal Office Building Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 73-97-1, Ordinance No. 387-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[South of Market Earthquake Recovery Project]

Ordinance amending Ordinance No. 234-90, which approved the Redevelopment Plan for the South of Market Earthquake Recovery Redevelopment Project Area, and ordinances amending said Redevelopment Plan, namely ordinances numbered 431-94 and 364-95 by further amending said Redevelopment Plan to merge the South of Market Earthquake Recovery Redevelopment Project Area into a merged Redevelopment Project consisting of the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area, The South of Market Earthquake Recovery Redevelopment Project Area, and the Federal Office Building Redevelopment Project Area; and making findings required under the California Environmental Quality Act (CEQA). (Supervisors Kaufman, Yaki)

File 73-97-2, Ordinance No. 388-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, S.F. Unified School District]

Ordinance appropriating \$22,050,000, Unified School District, of 1994 San Francisco School Bond Fund proceeds for the construction of various San Francisco public schools for fiscal year 1997-98. (Mayor)

File 101-97-12, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Appropriation, S.F. Community College District]

Ordinance appropriating \$35,000, San Francisco Community College District, from the General Fund Reserve for other professional services to allow the Community Health Service to provide HIV testing services, for fiscal year 1997-98. (Supervisors Ammiano, Teng, Brown, Bierman, Katz)

File 101-97-14, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Adopted

[Federal Aviation Administration Lease Renewal]

Resolution approving retroactively renewal of Lease No. DTFA-08-97-L-17638 between Federal Aviation Administration and City and County, acting by and through its Airport Commission. (Airport Commission)

File 27-97-10, Resolution No. 927-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Construction Contract Expenditure Increase]

Resolution approving retroactively expenditure of funds exceeding ten percent of original contract amount, under Water Department Contract WD-2199, repaving street and sidewalk openings for Water Department for fiscal year ending June 30, 1997; subject to certain conditions. (Public Utilities Commission)

File 61-97-5, Resolution No. 941-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Lease of Property, Hallidie Plaza]

Resolution authorizing the lease of real property at Hallidie Plaza for the operation of a coffee concession by Cable Car Coffee Company, Inc.; subject to certain conditions. (Real Estate Department)

File 65-97-12, Resolution No. 942-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Prevailing Wage Requirements]

Resolution exempting from prevailing wage provision of Charter Section A 7.204 contract between the San Francisco International Airport and the San Francisco Conservation Corps to perform vegetation and debris removal for the San Francisco International Airport. (Airport Commission)

File 172-97-58, Resolution No. 954-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Procurement Agreement, Housing Authority]

Resolution authorizing the Purchaser to enter into an agreement with the Housing Authority to make available to the Housing Authority supplies and services at the prices and terms available to the Purchaser under contracts entered into by the City and County. (Supervisor Brown)

File 206-97-5, Resolution No. 959-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed for Second Reading

[Information Technology Procurement]

Ordinance amending Administrative Code, governing specialized procurement procedures for the efficient, cost-effective and value-effective acquisition of information technology. (Supervisor Katz, Teng)

File 97-97-48, Ordinance No.

(Adds Chapter 21B, Sections 21B.1 through 21B.13.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Revocable Permit-Sutter Street Right-of-Way]

Resolution granting revocable permission to Regents of the University of California to install an underground telecommunications and pneumatic tube system within the Sutter Street right-of-way, to link a new medical office building at 1701 Divisadero Street, Block 1052, Lot 25 to the Mt. Zion Emergency Room at the Sutter Street frontage of 1600 Divisadero Street Block 1077, Lot 27 and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Yaki)

File 10-97-11, Resolution No. 903-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Mid-Market Project Area Committee Election]

Resolution confirming the election of additional members to the Project Area Committee for the Mid-Market Redevelopment Project. (Supervisor Yaki)

File 161-97-4.1, Resolution No. 952-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Passed for second Reading

[Revising Time, Award of Contracts, PTC]

Ordinance amending Administrative Code, to provide for additional time for awarding contracts let by the Public Transportation Commission; and by providing that the provisions of this ordinance shall expire on June 30, 1998. (Public Transportation Commission)

File 97-97-53, Ordinance No.

(Amends Section 6.1-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Tuesday, October 14, 1997

From Economic Development, Transportation and Technology Committee
Without Recommendation

Adopted

[Contract Award Extension, MUNI Railway MR-1054]

Resolution approving extension of time to award Municipal Railway Contract No. MR-1054 Curtis E. Green Light Rail Vehicle Facility - Replace Sand Dispenser. (Public Transportation Commission)

File 61-97-4, Resolution No. 940-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading

[Street Roadway Acceptance]

Ordinance accepting for purposes of maintenance the streets designated herein, subject to specified limitations, pursuant to California Streets and Highway Code Section 1806 and Department of Public Works Order No. 170.357. (Supervisor Teng)

File 9-97-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Consideration Continued

[Criminal Penalties, Housing Code Violations]

Ordinance amending Housing Code, to require that all life-safety code violations, relating to fire safety, the provision of heat or hot water, or the existence of conditions that endanger the life, limb, health, safety or welfare of any person or the public be chargeable as misdemeanors, and to provide for the return of civil penalties recovered under Section 204 to the Department of Building Inspection's Special Fund. (Supervisors Newsom, Bierman, Teng, Medina, Leal, Katz)

File 125-97-1, Ordinance No.

(Amends Section 204.)

Supervisor Newsom, seconded by Supervisor Ammiano, moved to continue consideration to October 20, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisors Leal, Katz requested to be added as co-sponsors.

Adopted

[Traffic Controls, 30th Street]

Resolution urging the Department of Parking and Traffic to change the traffic controls at San Jose Avenue and 30th Street and Dolores and 30th Street to improve the pedestrian safety in an area frequented by elderly persons. (Supervisors Teng, Ammiano, Bierman, Katz, Leal, Medina)

File 190-97-1, Resolution No. 956-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisors Leal, Medina requested to be added as co-sponsors.

Consideration Continued

[Penalties in Abatement Actions]

Resolution urging the Superior and Municipal Courts of the City and County to impose the maximum penalties available in public nuisance abatement actions. (Supervisors Newsom, Bierman, Teng, Medina, Leal, Katz)

File 198-97-2, Resolution No.

Supervisor Newsom, seconded by Supervisor Ammiano, moved to continue consideration to October 20, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisors Leal, Katz requested to be added as co-sponsors.

[House Confinement as Penalty]

Resolution urging the Superior and Municipal Courts of the City and County to impose confinement (of property owner) in the subject property as a condition of probation upon conviction for maintaining a substandard building. (Supervisors Newsom, Bierman, Ammiano, Brown, Teng, Medina, Leal, Katz)

File 198-97-3, Resolution No.

Supervisor Newsom, seconded by Supervisor Ammiano, moved to continue consideration to October 20, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisors Leal, Katz requested to be added as co-sponsors.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to the decision of the Director of Public Works dated August 21, 1997, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90 in Assessor's Block 4991, north and east of Executive Park Boulevard and Harney Way in the South Bayshore area.

File 59-97-3

(Appeal filed September 2, 1997.)

(September 29, 1997 - Consideration continued to October 14, 1997.)

Supervisor Teng, seconded by Supervisor Medina, moved to continue consideration to October 27, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

From the Clerk

(Only one of the following two motions should be adopted.)

Consideration Continued

[Subdivision]

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive Park Boulevard and Harney Way in the South Bayshore Area.

File 59-97-3.1

(September 29, 1997 - Consideration continued to October 14, 1997.)

Supervisor Teng, seconded by Supervisor Medina, moved to continue consideration to October 27, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Subdivision]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive Park Boulevard and Harney Way in the South Bayshore Area.

File 59-97-3.2

(September 29, 1997 - Consideration continued to October 14, 1997.)

Supervisor Teng, seconded by Supervisor Medina, moved to continue consideration to October 27, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive Park Boulevard and Harney Way in the South Bayshore area for consideration by the Board at its next meeting.

File 59-97-3.3

(September 29, 1997 - Consideration continued to October 14, 1997.)

Supervisor Teng, seconded by Supervisor Medina, moved to continue consideration to October 27, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Laboraie P. Smoore, police brutality;
Pat Gullikson, support owner, move-in eviction moratorium;
Regis Rosetta, support owner, move-in eviction moratorium.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Old Fort Mason Rail Tunnel]

Resolution urging the Golden Gate National Recreation Area to consider converting the Old Fort Mason Rail Tunnel into a bicycle path. (Supervisors Medina, Newsom, Bierman)

File 190-97-15, Resolution No.

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

At the request of Supervisor Medina, referred to Housing and Neighborhood Services Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commending Staff of West Wing Newspaper]

Resolution recognizing the advisor and staff of the West Wing newspaper for outstanding journalistic accomplishment. (Supervisors Yee, Medina)

File 6-97-178, Resolution No. 915-97

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Commendation-Police Officer Ben Manning]

Resolution recognizing Police Officer Ben Manning as San Francisco's Top Cop for September 1997. (Supervisors Yee, Medina)

File 6-97-179, Resolution No. 916-97

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Commending John Woo]

Resolution commending John Woo for his outstanding creative contributions to the film arts and his groundbreaking success as a Director and declaring October 11, 1997 as "John Woo Day" in the City and County. (Supervisors Teng, Katz, Medina)

File 6-97-180, Resolution No. 917-97

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commending Chinese Culture Center]

Resolution commending the Chinese Cultural Center for its critical role in promoting cultural exchange and understanding of Chinese culture. (Supervisors Teng, Kaufman, Bierman, Katz, Medina)

File 6-97-181, Resolution No. 918-97

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commending San Francisco Beautiful]

Resolution commending San Francisco Beautiful for its devotion to creating, enhancing and retaining civic beauty and declaring October 6, 1997 as "San Francisco Beautiful Day" in San Francisco. (Supervisors Teng, Kaufman, Bierman, Katz, Medina)

File 6-97-182, Resolution No. 919-97

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commending Senior Action Network]

Resolution commending the Senior Action Network for its efforts in advancing senior rights' issues and commitment to improving the lives of San Franciscans on the occasion of its Seventh Annual Convention on October 9, 1997. (Supervisors Teng, Kaufman, Bierman, Newsom, Leal, Katz, Medina)

File 6-97-183, Resolution No. 920-97

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Katz, Medina requested to be added as co-sponsors.

[Commending Chinese Historical Society of America]

Resolution commending the Chinese Historical Society of America for its efforts to preserve and chronicle Chinese American history by creating a National Chinese American Museum. (Supervisors Teng, Kaufman, Bierman, Katz, Medina)

File 6-97-184, Resolution No. 921-97

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Supporting Filipino Veterans' Equity Act]

Resolution urging the United States Senate to pass S.623 to amend the inequity of veterans benefits currently denied to Filipino-Americans who have served the United States during World War II and directing the Clerk to forward a copy of this resolution to the City's lobbyist in Washington, D.C., California's senators and San Francisco's congressional representatives. (Supervisors Teng, Bierman, Leal, Katz, Medina)

File 13-97-32, Resolution No. 925-97

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Katz, Medina requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.18

(October 6, 1997 - Introduced in Board for consideration on October 14, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Brown Act Finding]

Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Imperative Resolutions]

Adopted

[Supporting African American Youth Summit]

Resolution expressing the support of the San Francisco Board of Supervisors for the African American Youth Summit.

File 006-97-185, Resolution No. 922-97

Supervisor Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Commending Inspector Henry Kirk]

Resolution recognizing Inspector Henry Kirk as San Francisco's Top Cop for October 1997.

File 006-97-186, Resolution No. 923-97

Supervisor Katz presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

OFF-CALENDAR LEGISLATION

Tuesday, October 14, 1997

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Departmental Overtime Expenditures]

Ordinance amending Administrative Code by amending Section 18.13 to establish procedures for tracking departmental overtime expenditures. Supervisor Leal presented. Referred to Finance Committee.

File 097-97-061.

[Extended-Hours Premises]

Ordinance amending Police Code by amending Sections 1070, 1070.1, 1070.3, 1070.5, 1070.7, 1070.8, 1070.12, 1070.13, 1070.16, 1070.17, 1070.19, 1070.20-1, 1070.21, and 1070.23 to substitute the term "Extended-Hours Premises" for "Cabaret" and to conform terminology to the 1996 Charter. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 121-97-009.

[Sidewalk Tables and Chairs Permit Enforcement]

Ordinance amending Public Works Code by adding Section 176.6A to authorize the Director of the Department of Public Health to assist the Director of Public Works in making determinations regarding compliance with the requirements governing the placement of tables and chairs in public rights-of-way. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 123-97-007.

Referred to Board

[Urging Use of Sampling on U.S. Census]

Resolution urging all members of Congress to support efforts to ensure the use of sampling in the 2000 Census, particularly since the Committee on National Statistics (convened by the National Academy of Sciences) has found that sampling will improve the accuracy of the count and reaffirms its support for the Census Bureau's efforts to improve the 2000 Census and the overall census process. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar October 20, 1997.

File 012-97-030.

Requests for Hearings:

[Owner Move-In Evictions of Senior Citizens]

Hearing to consider the impacts on senior citizens of owner move-in evictions, the number of senior citizens affected by such evictions, and a moratorium on owner move-in evictions of senior citizens. Supervisors Ammiano, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 109-97-003.

[Retirement Board Investment Procedures]

Hearing to consider the investment procedures of the Retirement Board including, but not limited to, investments in tobacco companies and requesting the Retirement Board's Executive Director to explain these procedures. Supervisor Newsom presented. Referred to Finance Committee.

File 210-97-002.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar October 20, 1997.

File 030-97-001.19.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 052-96-005.02. [Underground District, Gough/Green Streets] Ordinance amending Ordinance No. 428-96 to redefine Underground District No. 325 in the Gough/Green area by adding certain property thereto. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 052-97-003. [Underground District, Dolores Heights] Ordinance amending Ordinance No. 367-92 and 390-93 to redefine Underground District No. 318 in the Dolores Heights District by adding certain property thereto. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 052-97-004. [Underground District, Mission Street] Ordinance creating Underground District No. 326 along Mission Street. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 151-97-004.01. [Rincon Point-South Beach Redevelopment Plan] Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, amended by Ordinance No. 405-91, amended by Ordinance No. 137-92, amended by Ordinance No. 270-92, amended by Ordinance No. 430-94, amended by Ordinance No. 119-97, amended by Ordinance No. 276-97, amended by Ordinance No. 334-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the Project Area by adding land to the South Beach Sub-Area of the Project Area, specifically portions of Block 3774. (Redevelopment Agency) Scheduled for public hearing on Board Calendar of November 10, 1997, at 3:00 p.m.

Resolutions Referred to Committee

File 038-97-013. [Gift Acceptance] Resolution accepting a gift valued at \$13,000 from the Friends of Recreation and Parks for use by the Recreation and Park Department. (Recreation and Park Commission) Referred to Housing and Neighborhood Services Committee.

File 038-97-014. [Gift Acceptance] Resolution authorizing the Department of Public Health to accept a gift valued at \$62,000, from the California Healthcare Foundation for data analysis services in connection with the work of the Mayor's Blue Ribbon Committee on Universal Health Care. (Also see File 172-97-67). (Department of Public Health) Health, Family and Environment Committee.

File 065-97-014. [Lease of Property] Resolution authorizing a 40-year lease of Public Utilities Commission land between the City and County of San Francisco and Artichoke Joes, in the City of San Bruno, San Mateo County. (Public Utilities Commission) Referred to Finance Committee.

File 094-97-003. [Federal Grant, Energy Conservation] Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$75,000 from the U.S. Department of Energy and the Urban Consortium Energy Task Force; providing for ratification of action previously taken. (Public Utilities Commission) Referred to Economic Development, Transportation and Technology Committee.

File 148-97-002. [Federal Grant, Hazard Mitigation] Resolution authorizing the Department of Public Works to accept and expend retroactively eleven (11) Hazard Mitigation grants of \$6,394,394 from the California Governor's Office of Emergency Services (DES) on behalf of the Federal Emergency Management Agency (FEMA); waiving indirect costs. (Department of Public Works) Economic Development, Transportation, and Technology Committee.

File 172-97-067. [Release Data Agreement] Resolution authorizing the Department of Public Health to enter into an agreement with Kaiser Foundation Health Plan, Inc. and PM Squared, Inc. for the disclosure of data in connection with the work of the Mayor's Blue Ribbon Committee on Universal Health Care, including confidentiality, indemnification and arbitration provisions. (Also see File 38-97-14). (Department of Public Health) Referred to Health, Family and Environment Committee.

File 199-97-002. [Jurisdictional Transfer] Resolution transferring jurisdiction from the Public Utilities Commission to the Public Transportation Commission real property on the southwest corner of Cesar Chavez and Indiana Streets, identified as Assessor's Block 4352 Lot 6, and Assessor's Block 4382 Lot 4, for a new diesel bus maintenance, storage, and operating facility; and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that letter be sent to Tony Irons, Department of Public Works, City Hall Project, requesting that, in the process of remodeling City Hall, attention be given to the need for providing wheelchair access to the Board President's podium area in anticipation of a disabled person becoming President of the Board at some future date and conforming to the Americans With Disabilities Act.

By Supervisor Kaufman, that letter be sent to Dr. Stanley Prusiner congratulating him on his receipt of the Nobel Prize in Medicine for his work with prions.

By Supervisor Medina, that letter be sent to the Executive Director of the Housing Authority requesting a report outlining the grievance filing process and listing all grievances filed with the Housing Authority since October 15, 1996.

By Supervisor Newsom, that the City Attorney provide the following: 1) review contracts with pay phone companies and explore the ability to change the percentage of total revenue that is made by the city from a rate of 20% to 40% as is received by other municipal agencies; 2) draft new provisions to existing contracts that would allow for phones to be provided at City Hall at a rate of ten cents per call; and 3) investigate contract with MUNI to determine if provisions exist that require placement of pay phones at bus stops and underground platforms.

By Supervisor Newsom, that letter be sent to the Budget Analyst requesting a report on the revenue given to the City and County through pay phone company contracts.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Mare Frauenfelder (Supervisors Kaufman, Leal)
Kenneth Hahn (Supervisor Kaufman)
Steven Giraudo (By the Entire Board)
Theodore Einwohner (Supervisor Katz)
Thomas W. Chinn (Supervisor Teng)
Charlotte Coll (Supervisor Teng)

File 2-97-36

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:03 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 8, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, October 20, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 20 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Yaki - 7.

Noted absent at first roll call:

Supervisors Katz, Leal, Teng, Yaki - 4.

Quorum present.

Supervisor Katz was noted present at 2:11 p.m.

Supervisor Leal was noted present at 2:03 p.m.

Supervisor Teng was noted present at 2:02 p.m.

Supervisor Yaki was noted present at 2:02 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Medina, moved that the Journal of Proceedings for Monday, August 11, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Katz, Leal - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, S.F. Unified School District]
Ordinance appropriating \$22,050,000, Unified School District, of 1994 San Francisco School Bond Fund proceeds for the construction of various San Francisco public schools for fiscal year 1997-98. (Mayor)

File 101-97-12, Ordinance No. 414-97

(Fiscal Impact.)

Finally passed.

[Appropriation, S.F. Community College District]
Ordinance appropriating \$35,000, San Francisco Community College District, from the General Fund Reserve for other professional services to allow the Community Health Service to provide HIV testing services, for fiscal year 1997-98. (Supervisors Ammiano, Teng, Brown, Bierman, Katz)

File 101-97-14, Ordinance No. 415-97

(Fiscal Impact.)

Finally passed.

Recommendations of Health, Family and Environment Committee

Adopted

[State Grant, Grief Support Training Program]
Resolution authorizing the Department of Public Health, Public Health Division, Emergency Medical Services (EMS) Agency, to apply for retroactively and accept and expend a grant of \$44,000 from the State Emergency Medical Services Authority to provide for continuation of the Prehospital Grief Support Training Program; providing for ratification of action previously taken. (Department of Public Health)

File 146-97-18, Resolution No. 991-97

Adopted.

[State Grant, Emergency Medical Services Authority]
Resolution authorizing the Department of Public Health, Public Health Division, Emergency Medical Services (EMS) Agency, to apply for retroactively and accept and expend a grant of \$54,000 from the State Emergency Medical Services Authority, to provide for creation of a public education campaign on prompt recognition of stroke and rapid access of care through the 911 EMS system; providing for ratification of action previously taken. (Department of Public Health)

File 146-97-19, Resolution No. 992-97

Adopted.

Recommendations of Economic Development, Transportation
and Technology Committee

Finally Passed

[Information Technology Procurement]
Ordinance amending Administrative Code, governing specialized procurement procedures for the efficient, cost-effective and value-effective acquisition of information technology. (Supervisors Katz, Teng)

File 97-97-48, Ordinance No. 411-97

(Adds Chapter 21B, Sections 21B.1 through 21B.13.)

Finally passed.

[Revising Time, Award of Contracts, PTC]
Ordinance amending Administrative Code, to provide for additional time for awarding contracts let by the Public Transportation Commission; and by providing that the provisions of this ordinance shall expire on June 30, 1998. (Public Transportation Commission)

File 97-97-53, Ordinance No. 412-97

(Amends Section 6.1-1.)

Finally passed.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Street Roadway Acceptance]
Ordinance accepting for purposes of maintenance the streets designated herein, subject to specified limitations, pursuant to California Streets and Highways Code Section 1806 and Department of Public Works Order No. 170,357. (Supervisor Teng)

File 9-97-1, Ordinance No. 405-97

Finally passed.

Recommendations of Rules Committee

Passed for Second Reading

[Stephena Waldon v. CCSF, et al.]
Ordinance authorizing settlement of the litigation of Stephena Waldon v. City and County, by payment of \$110,000. (City Attorney)

File 45-97-106, Ordinance No.

(Superior Court No. 980-230.)

Passed for second reading.

[Marcia Greenberg v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Marcia Greenberg against the City and County by payment of \$15,000 plus attorneys' fees not to exceed \$35,000. (City Attorney)

File 45-97-110, Ordinance No.

(U.S. District Court Case No. C95-2056 DLJ.)

Passed for second reading.

[Igor Gindin v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Igor Gindin v. City and County by payment of \$69,000. (City Attorney)

File 45-97-111, Ordinance No.

(Superior Court No. 979-665.)

Passed for second reading.

Adopted

[Settlement of Claim, Pui Ling Che]
Resolution approving the settlement of the unlitigated claim of Pui Ling Che by payment of \$46,000. (City Attorney)

File 48-97-69, Resolution No. 974-97

Adopted.

[Settlement of Claim, Reginald Oliver]
Resolution approving the settlement of the unlitigated claim of Reginald Oliver by payment of \$52,000. (City Attorney)

File 48-97-73, Resolution No. 975-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Grant, Police Department]

Resolution approving retroactively the application, acceptance and expenditure of a grant awarded by the California Department of Alcohol Beverage Control to the Police Department in the amount of \$100,000. (Supervisors Teng, Leal)

File 143-97-5, Resolution No. 990-97

(October 14, 1997 - Consideration continued to October 20, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Passed for Second Reading as Amended

[Criminal Penalties, Housing Code Violations]

Ordinance amending Housing Code, to require that all life-safety code violations, relating to fire safety, the provision of heat or hot water, or the existence of conditions that endanger the life, limb, health, safety or welfare of any person or the public be chargeable as misdemeanors, and to provide for the return of civil penalties recovered under Section 204 to the Department of Building Inspection's Special Fund. (Supervisors Newsom, Bierman, Teng, Medina, Leal, Katz)

File 125-97-1, Ordinance No.

(Amends Section 204.)

(October 14, 1997 - Consideration continued to October 20, 1997.)

Supervisor Newsom, seconded by Supervisor Teng, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Penalties in Abatement Actions]

Resolution urging the Superior and Municipal Courts of the City and County to impose the maximum penalties available in public nuisance abatement actions. (Supervisors Newsom, Bierman, Teng, Medina, Leal, Katz)

File 198-97-2, Resolution No. 996-97

(October 14, 1997 - Consideration continued to October 20, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[House Confinement as Penalty]

Resolution urging the Superior and Municipal Courts of the City and County to impose confinement (of property owner) in the subject property as a condition of probation upon conviction for maintaining a substandard building. (Supervisors Newsom, Bierman, Ammiano, Brown, Teng, Medina, Leal, Katz)

File 198-97-3, Resolution No. 997-97

(October 14, 1997 - Consideration continued to October 20, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Port Commission]

Ordinance appropriating \$686,163, Port Commission, of Port revenues for the construction of the China Basin Ballpark for fiscal year 1997-98. (Controller)

File 101-97-15, Ordinance No.

(Fiscal Impact.)

Supervisor Kaufman Excused from Voting

The Clerk announced that Supervisor Kaufman requested to be excused from voting because of a possible conflict of interest.

Supervisor Yaki, seconded by Supervisor Leal, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Katz, Newsom - 2.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Leal, Medina, Teng, Yaki, Yee - 8.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Katz, Newsom - 2.

The President resumed the Chair.

[Appropriation, Airport]

Ordinance appropriating \$23,190,287, Airport Commission, of various Bond Fund balances to the Airport, for capital improvement projects for fiscal year 1997-98. (Controller)

File 101-97-21, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Real Estate Fraud Prosecution Fee]

Ordinance amending Administrative Code, requiring the collection of a recordation fee of \$2.00 at the time of recording real estate instruments and providing that such funds shall be expended for criminal investigations or prosecutions involving recorded real estate documents. (Supervisors Brown, Teng)

File 97-97-54, Ordinance No.

(Adds Section 8.24-5.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendations of Health, Family and Environment Committee

Passed for Second Reading

[Virgin Redwood Ban]

Ordinance amending Administrative Code, to expand the scope of the tropical hardwood ban to include virgin redwood. (Supervisors Katz, Newsom, Bierman, Ammiano, Brown, Teng)

File 97-97-38, Ordinance No.

(Amends Sections 12I.1 through 12I.6 and Section 12I.B.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Ammiano, Brown, Teng requested to be added as co-sponsors.

Adopted

[Healthy Cities Project]

Resolution supporting the San Francisco Healthy Cities: CHIPPS Senior Injury Prevention Collaborative Project. (Supervisor Teng)

File 30-97-16, Resolution No. 973-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Grant, Juvenile Crime Enforcement]

Resolution authorizing retroactively, the Mayor's Criminal Justice Council to accept and expend funds in the amount of \$100,000 from the State Board of Corrections under the Juvenile Crime Enforcement and Accountability Challenge Grant Program to develop a local action plan to provide a continuum of responses to juvenile crime and delinquency; waiving indirect costs. (Supervisors Medina, Bierman, Teng, Brown)

File 141-97-4, Resolution No. 989-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Bierman, Teng, Brown requested to be added as co-sponsors.

[Calaveras Reservoir Stream Release Agreement]

Resolution approving a Memorandum of Understanding between the Public Utilities Commission and the California Department of Fish and Game regarding release of water from Calaveras Reservoir. (Public Utilities Commission)

File 172-97-61, Resolution No. 995-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Rules Committee

Passed for Second Reading

[Emergency Vehicle Use, Citizen Complaints Office]

Ordinance amending Administrative Code, to allow employees of the Office of Citizen Complaints to use emergency vehicles owned by the City and County for transportation to and from their place of residence. (Supervisors Ammiano, Bierman, Brown)

File 97-97-46, Ordinance No.

(Amends Section 4.11.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Kaufman - 1.

In connection with the above item, Supervisors Bierman, Brown requested to be added as co-sponsors.

The President resumed the Chair.

Adopted

[Public Access Computer Terminal]

Resolution urging the Clerk of the Board to provide a computer terminal for public access to the virtual terminal for purposes of accessing legislative history. (Supervisors Ammiano, Bierman, Katz, Teng)

File 54-97-9, Resolution No. 976-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Katz, Teng requested to be added as co-sponsors.

[Appointment]

Resolution appointing member to the Child Care Planning and Advisory Council, for a term to be determined by lot. (Rules Committee)

File 92-97-8.5, Resolution No. 979-97

(Philip Tse, Department of Public Health representative, Seat No. 29622.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing members to the Hazardous Materials Advisory Committee, terms expired, for new four-year terms ending July 1, 2001. (Rules Committee)

File 92-97-25.1, Resolution No. 980-97

(Barney P. Popkin, succeeding himself, Seat No. 22613, represents environmental organization; William R. Wilson, succeeding Daniel Huff, Seat No. 22615, open seat, no requirement.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointment]

Resolution appointing member to the Sunshine Ordinance Task Force, for unexpired portion of two-year term ending April 27, 1998. (Rules Committee)

File 92-97-30, Resolution No. 981-97

(Nicole Wong, succeeding Karl Olson, Seat No. 27101, attorney, Society of Professional Journalists, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for new two-year terms ending July 15, 1999. (Rules Committee)

File 92-97-32.2, Resolution No. 982-97

(Jeffrey C. Henne, succeeding himself, Seat No. 23319;
Bette W. Landis, succeeding herself, Seat No. 23318.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointment]

Resolution appointing member to the Bicycle Advisory Committee, for unexpired portion of three-year term ending December 31, 1997. (Rules Committee)

File 92-97-34, Resolution No. 983-97

(Ted Thomas, succeeding Kevin Davidson, Seat No. 24301, represents bicycle industry, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointment]

Resolution appointing member to the Adult Day Health Care Planning Council, for new three-year term ending September 30, 1999. (Rules Committee)

File 92-97-37.3, Resolution No. 984-97

(Ruth P. Morales, succeeding Joseph Mignola, Jr., Seat No. 20008, Age Group, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointment]

Resolution appointing member of the Board of Supervisors to the California State Association of Counties (CSAC) Board of Directors, for new one-year term ending November 1998. (Rules Committee)

File 92-97-40, Resolution No. 985-97

(Supervisor Michael J. Yaki, succeeding himself, Seat No. 11001.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing members to the Adult Day Health Care Planning Council, terms expired, for new three-year terms ending September 30, 2000. (Rules Committee)

File 92-97-41.1, Resolution No. 986-97

(June W. Keller, succeeding herself, Seat No. 20005, Age Group;
Thomas Rickert, succeeding himself, Seat No. 20006, Age Group;
Anthony Nicco, succeeding himself, Seat No. 20017, represents Department of Human Services.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing members to the Lead Hazard Reduction Citizens Advisory Committee, terms expired, for new four-year terms ending June 25, 2001. (Rules Committee)

File 92-97-42, Resolution No. 987-97

(Ellen Frost, succeeding Anthony Von der Muhll, Seat No. 26701, affordable housing developer; John "Pete" Peterson, succeeding himself, Seat No. 26704, represents the building trades.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Modification - Litigation Consultant Contract]

Resolution approving modification of the contract indemnity clause for consultant Ed Graf in the Seacliff Sinkhole/Yee v. CCSF matter; contingent upon certification that the consultant is in compliance with the Equal Benefits Ordinance. (Public Utilities Commission)

File 172-97-60, Resolution No. 994-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, suggesting attendance records of members of the Board sitting on other boards and/or commissions should be kept on file with the Clerk of the Board;
Al Rose, disabled community;
Christopher Yock, Treasure Island Firefighters, SB 538;
Jeffrey E. Auman, homelessness and poverty.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

The President resumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Urging Use of Sampling on U.S. Census]

Resolution urging all members of Congress to support efforts to ensure the use of sampling in the 2000 Census, particularly since the Committee on National Statistics (convened by the National Academy of Sciences) has found that sampling will improve the accuracy of the count and reaffirms its support for the Census Bureau's efforts to improve the 2000 Census and the overall census process. (Supervisors Teng, Bierman, Katz, Medina, Brown)

File 12-97-30, Resolution No. 966-97

(October 14, 1997 - Introduced in Board for consideration on October 20, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Medina, Brown requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 30-97-1.19

(October 14, 1997 - Introduced in Board for consideration on October 20, 1997.)

Adopted.

In connection with the above item, Supervisors Yee requested to be added as co-sponsor.

[Commending Youth Vote '97]

Resolution commending Youth Making a Change ("Y-MAC") for their involvement in Youth Vote '97. (Supervisors Katz, Bierman, Medina, Teng, Brown, Ammiano, Kaufman, Leal, Newsom, Yaki, Yee)

File 6-97-187, Resolution No. 963-97

(October 15, 1997 - Referred to Board for consideration on October 20, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Medina, Teng, Brown, Ammiano, Kaufman, Leal, Newsom, Yaki, Yee requested to be added as co-sponsors.

[Final Map]

Motion approving final map of 2080 Third Street, a Live/Work Condominium Project, being a subdivision of Lot 17 in Assessor's Block No. 3995, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 58-97-27

(October 10, 1997 - Referred to Board for consideration on October 20, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MOU, Fire Rescue Paramedics, Local 790]

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County of San Francisco for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1997 through June 30, 1999. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 093-97-049.

[Appropriation, Fire Department]

Ordinance appropriating \$2,000,000, Fire Department, (\$1,500,000 from the General Fund Reserve and \$500,000 from rescinding Professional Services-Consent Decree) for a Disability Monitoring Program, and for overtime, temporary salaries, and fringe benefits for fiscal year 1997-98. RO #97126. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-023.

[Owner Move-In Evictions of Senior Citizens]

Draft ordinance amending Administrative Code by amending Chapter 37, the Residential Rent Stabilization and Arbitration Ordinance concerning owner move-in evictions affecting tenants 55 or older or diagnosed with terminal illness or who are disabled, for a period of 24 months or further amended, whichever occurs first. Supervisors Ammiano, Bierman, presented. Referred to Housing and Neighborhood Services Committee.

File 109-97-003.

[Senior Eviction Moratorium on Owner Move-Ins]

Draft ordinance amending Administrative Code by amending Section 37.9 to prohibit, except under narrow circumstances, owner move-in evictions that would result in the displacement of residential tenants who are 60 years of age or older and who have been residing in the same rental unit for 10 years or more; this ordinance would be in effect through June 30, 1999. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 109-97-004.

[Real Property Transfer Tax]

Ordinance amending Article 12-C of Part III, Municipal Code by amending Section 1115.2, to substitute the Director of Property for the Assessor as a member of the Transfer Tax Review Board. Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-009.

[Affordable Housing Bonds]

Ordinance establishing general terms and procedures for the issuance and sale of City and County of San Francisco General Obligation Bonds (Affordable Housing), authorized by the voters of the City and County of San Francisco as Measure A in November 1996, to be issued in the aggregate principal amount of \$100,000,000; providing for the repayment thereof; and providing for the establishment of funds related thereto. Supervisors Brown, Leal presented. Referred to Finance Committee.

File 170-97-010.

[Extending MBE/WBE/LBE Ordinance - III]

Ordinance amending Administrative Code by adding Section 12D.2-3 thereto and by amending Sections 12D.9(A), 12D.10(A), and 12D.11(A), 12D.11(A)-(1) and 12D.15(G) thereof to set forth findings supporting a three month extension of the MBE/WBE/LBE Ordinance- III and providing for the three month extension. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 284-97-001.01.

Referred to Board

[Commend Germaine Wong]

Resolution commending Ms. Germaine Wong for her work, dedication and exceptional performance in making San Francisco a voter-friendly city and declaring November 20, 1997 as "Germaine Wong Day". Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar October 27, 1997.

File 006-97-188.

[AIDS Awareness License Plate]

Resolution urging the California State Legislature to amend the California Vehicle Code to include Section 5073, allowing for the issuance of special interest license plates depicting a red ribbon which recognizes the impact the AIDS pandemic has had on our society and establish a fund which would allocate the proceeds from the sale of this plate to go to AIDS research. Supervisors Newsom, Ammiano, Katz, Leal, Medina, Bierman, Teng, Yaki, Kaufman, Yee, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar October 27, 1997.

File 012-97-031.

Referred to Committee

[Speeding In School Zone Fine Increase]

Resolution urging the Mayor to direct the City's Lobbyist in Sacramento to urge the State Legislature to double the fine for speeding in school zones. Supervisors Teng, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 12-97-32.

Referred to Board

[Gay and Lesbian Caucus]

Resolution urging the reinstitution of the National Democratic Committee's Gay and Lesbian Caucus. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar October 27, 1997.

File 013-97-033.

[Native Americans]

Resolution urging the President to appoint a Native American representative to the President's Advisory Board on Race. Supervisors Medina, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar October 27, 1997.

File 013-97-034.

Referred to Committee

[Sublease Building 3, Treasure Island]

Resolution approving and authorizing an agreement by and between the City and County and Universal Studios for the sublease of Building 3 on Naval Station Treasure Island. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 065-97-010.01.

[Funds, Criminal Justice Council]

Resolution authorizing the Mayor's Criminal Justice Council to accept and expend funds in the amount of \$5,407,983 from the State Board of Corrections under the Juvenile Crime Enforcement and Accountability Challenge Grant program to implement a local action plan to provide a continuum of responses to juvenile crime and delinquency. Mayor Willie L. Brown, Jr. presented. Referred to Housing and Neighborhood Services Committee.

File 068-97-007.

[Bond Sale, Affordable Housing, \$20,000,000]

Resolution authorizing and directing the sale of not to exceed \$20,000,000 City and County of San Francisco taxable general obligation bonds (Affordable Housing) Series 1998A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of funds related thereto; approving the forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance sale and delivery of said bonds; companion measure to File 170-97-10. Supervisors Brown, Leal presented. Referred to Finance Committee with request it be considered at the October 29, 1997 meeting.

File 170-97-010.01.

Requests for Hearings:

[Methamphetamine]

Hearing to consider methamphetamine usage, treatment on demand, why San Francisco is number one in the country on methamphetamine related hospital admittances, its correlation with crime and what preventive steps can be taken. Supervisors Newsom, Bierman presented. Referred to Health, Family and Environment Committee.

File 030-97-019.01.

[Medical Marijuana]

Hearing to consider the feasibility of relinquishing marijuana confiscated by the police to city medical clinics authorized to dispense marijuana for medical treatment of patients. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 030-97-020.

[Health Services System Claims Backlog]

Hearing to consider the causes and to identify potential solutions for the current claims backlog experienced in the Health Services System. Supervisor Leal presented. Referred to Finance Committee.

File 078-97-002.

[Chinese Medicine/Treatment Health Plan]

Hearing to consider expanding the provision of Chinese medicines and treatment for City employees under the City's health plan. Supervisors Yee, Bierman presented. Referred to Finance Committee.

File 078-97-003.

[Fire Department Overtime]

Hearing to consider why the Fire Department has expended its entire fiscal year 1997-98 budget for overtime, what steps are being taken to curb abuses of overtime and disability pay and supplemental appropriation to allow the Fire Department to continue to pay firefighters through the end of the fiscal year. Supervisors Kaufman, Leal presented. Referred to Finance Committee with request it be considered at the October 29, 1997 meeting.

File 101-97-024.

[Treasure Island Firefighters]

Hearing to evaluate the status of the firefighters on Treasure Island. Supervisors Yaki, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 244-97-005.01.

[Treasure Island]

Hearing to consider interim use and access guidelines for Treasure Island. Supervisors Yaki, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 244-97-006.

[MBE/WBE/LBE Certification and Bid Process]

Hearing to consider the Minority, Women, Local Business Enterprise certification process and the process for reviewing and awarding a bid when an MBE/WBE/LBE requirement is a component of that bid. Supervisor Yee presented. Referred to Health, Family and Environment Committee.

File 284-97-003.

Introduced by the President at the Request of Departments

Resolutions Referred to Committee

File 018-97-008. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1393. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-009. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1393. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-008. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1393. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 025-97-015. [Prop J Contract, Shuttle Bus Services] Resolution approving the award of a San Francisco Airport Commission contract for the operation of San Francisco International Airport's shuttle bus service for a ten (10) year period with five (5) additional one year-options. (Airport) Referred to Finance Committee.

File 146-97-021. [Private Grant, Economic Opportunity Council] Resolution authorizing the Department of Public Health, Division of Mental Health, to apply for retroactively and accept and expend a grant in the amount of \$28,185, which includes no indirect costs, from the Economic Opportunity Council (EOC), to support a substance abuse prevention and early intervention project at Head Start Programs, providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yaki, that City Attorney and Controller draft a supplemental appropriation ordinance appropriating funds from the Navy-San Francisco Cooperative Agreement for purpose of contracting with the Treasure Island firefighters for one year for the purpose of providing fire protection and suppression.

By Supervisor Yaki, that City Attorney provide opinion regarding what legal means are available to retain the Treasure Island firefighters given our Civil Service rules, looking at their potential status as provisional employees, new cadets or consultants to the Fire Department. File 244-97-5.1.

By Supervisor Yaki, that Budget Analyst report on the impact of hiring eight or 16 firefighters on the Fire Department budget as provisional employees, new cadets and/or consultants for the transition of Treasure Island, for a one year period. File 244-97-5.1.

Monday, October 20, 1997

By Supervisor Yaki, that City Attorney provide opinion regarding the impact of hiring eight or 16 of the Treasure Island firefighters on the consent decree. File 244-97-5.1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mac Yaki (By the entire Board)

File 2-97-40

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:46 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 22, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, October 27, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 27, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Medina, Yaki, Yee - 7.

Noted absent at first roll call:

Supervisors Brown, Leal, Newsom, Teng - 4.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Leal was noted present at 2:04 p.m.

Supervisor Newsom was noted present at 2:05 p.m.

Supervisor Teng excused. (See infra.)

Supervisors Brown, Teng Excused

The Clerk stated Supervisors Brown and Teng requested to be excused from attending today's meeting.

Supervisor Yee, seconded by Supervisor Katz, moved to excuse Supervisors Brown and Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Yaki, Yee - 8.

Absent: Supervisors Brown, Newsom, Teng - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Katz, moved that the Journals of Proceedings for Monday, August 18 and August 25, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Yaki, Yee - 8.

Absent: Supervisors Brown, Newsom, Teng - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Airport]

Ordinance appropriating \$23,190,287, Airport Commission, of various Bond Fund balances to the Airport, for capital improvement projects for fiscal year 1997-98. (Controller)

File 101-97-21, Ordinance No. 417-97

(Fiscal Impact.)

Finally passed.

[Real Estate Fraud Prosecution Fee]

Ordinance amending Administrative Code, requiring the collection of a recordation fee of \$2.00 at the time of recording real estate instruments and providing that such funds shall be expended for criminal investigations or prosecutions involving recorded real estate documents. (Supervisors Brown, Teng)

File 97-97-54, Ordinance No. 413-97

(Adds Section 8.24-5.)

Finally passed.

Adopted

[Lease Amendment, 30 Van Ness Avenue]

Resolution authorizing an amendment to a lease of real property at 30 Van Ness Avenue, San Francisco, for the Department of Human Services. (Real Estate Department)

File 64-97-7.1, Resolution No. 961-97

Adopted.

[Lease Amendment, 30 Van Ness Avenue]

Resolution authorizing an amendment to a lease of real property at 30 Van Ness Avenue, San Francisco, for the Department of Human Services. (Real Estate Department)

File 64-97-14, Resolution No. 977-97

Adopted.

Recommendation of Health, Family and Environment Committee

Finally Passed

[Virgin Redwood Ban]

Ordinance amending Administrative Code, to expand the scope of the tropical hardwood ban to include virgin redwood. (Supervisors Katz, Newsom, Bierman, Ammiano, Brown, Teng)

File 97-97-38, Ordinance No. 409-97

(Amends Sections 12I.1 through 12I.6 and Section 12I.8.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Neighborhood Services Committee)

File 19-97-8, Resolution No. 970-97

(No Parking, 7 am - 6 pm, Except Sundays - Establish

Plymouth Avenue, west side, from Ocean Avenue to 100 feet northerly (100-foot zone).

Perpendicular (90-Degree Angle) Parking - Establish

19th Street, south side, from Rhode Island Street to 120 feet westerly (120-foot zone).

Tow-Away, No Parking Anytime - Establish

Buchanan Street, both sides, between Willow and Eddy Streets;

Willow Street, both sides, between Laguna and Buchanan Streets.

Two-Hour Parking Time Limit, 7 am -12 Noon, Monday Through Friday - Establish

Monterey Boulevard, both sides, between Junipero Serra Boulevard and San Leandro Way.

Residential Permit Parking Area "F" (3-Hour Time Limit, 9 am - 4 pm, Monday through Friday) - Rescind
Residential Permit Parking Area "F" (2-Hour Time Limit, 9 am - 4 pm Monday through Friday) - Establish

Arguello Boulevard, east side, between Sacramento and Washington Streets (100 block, change in time limit only).

Residential Permit Parking Area "J" (2-Hour Time Limit, 8 am - 5 pm, Monday Through Friday) - Establish

Cole Street, both sides, between Alma and Grattan Streets (1100 block).

Residential Permit Parking Area "O" (2-Hour Time Limit, 8 am - 6 pm, Monday Through Friday) - Establish

Santiago Street, both sides, between 18th and 19th Avenues (700 block).

Residential Permit Parking Area "W" (2-Hour Time Limit, 8 am - 6 pm, Monday Through Friday) - Establish

Bryant Street, both sides, between 25th and 26th Streets (2700 block).)

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Neighborhood Services Committee)

File 20-97-7, Resolution No. 971-97

(Crosswalk Closure -Establish

Sansome and Sutter Streets, east crosswalk, crossing Sutter Street (crossing to be prohibited).

Crosswalk Closure - Rescind

Market and Sutter Streets, north crosswalk, crossing Sutter Street (crosswalk to be re-opened).

No Left Turn - Rescind
No Left Turn, Except MUNI - Establish

Market Street, westbound, at 2nd Street;
Sansome Street, southbound, at Sutter Street.

One-Way Street - Rescind

Sutter Street, westbound, between Market and Sansome Streets (restores two-way operation).

Bicycle Lanes - Establish

Baker Street, east side (northbound only), between Grove and McAllister Streets.

Mid-Block Crosswalk - Establish

Corbett Avenue, approximately 279 feet south of Iron Alley (10-foot wide crosswalk at Rooftop School driveway, #500 Corbett Avenue).

Tow-Away, No Stopping, 4 am - 8 pm, Monday Through Friday - Establish

6th Avenue, east side, from 50 feet to 100 feet south of Cornwall Street (50-foot zone).

No Left Turns or U-Turns - Establish

Division Street, westbound, at Bryant Street.

No Left Turn - Establish

13th Street, eastbound, at South Van Ness Avenue;
13th Street, westbound, at Folsom Street.

Tow-Away, No Stopping Anytime - Establish

13th Street, north side, from Howard Street to 320 feet easterly (320-foot zone);
13th Street, south side, from Folsom Street to 100 feet easterly (100-foot zone);
13th Street, south side, from Folsom Street to 210 feet westerly (210-foot zone).)

Adopted.

Recommendations of Rules Committee

Finally Passed

[Stephena Waldon v. CCSF, et al.]

Ordinance authorizing settlement of the litigation of Stephena Waldon v. City and County, by payment of \$110,000. (City Attorney)

File 45-97-106, Ordinance No. 406-97

(Superior Court No. 980-230.)

Finally passed.

[Marcia Greenberg v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Marcia Greenberg against the City and County by payment of \$15,000 plus attorneys' fees not to exceed \$35,000. (City Attorney)

File 45-97-110, Ordinance No. 407-97

(U.S. District Court Case No. C95-2056 DLJ.)

Finally passed.

[Igor Gindin v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Igor Gindin v. City and County by payment of \$69,000. (City Attorney)

File 45-97-111, Ordinance No. 408-97

(Superior Court No. 979-665.)

Finally passed.

Recommendation of Economic Development, Transportation
and Technology Committee

Adopted

[Federal Grant, Energy Conservation]

Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of \$75,000 from the U.S. Department of Energy and the Urban Consortium Energy Task Force; providing for ratification of action previously taken. (Public Utilities Commission)

File 94-97-3, Resolution No. 988-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

(Supervisor Kaufman was excused from voting.)

[Appropriation, Port Commission]

Ordinance appropriating \$686,163, Port Commission, of Port Revenues for the construction of the China Basin Ballpark for fiscal year 1997-98. (Controller)

File 101-97-15, Ordinance No. 416-97

(Fiscal Impact.)

Supervisor Newsom Excused from Voting

The Clerk announced that Supervisor Newsom requested to be excused from voting because of a possible conflict of interest.

Supervisor Katz, seconded by Supervisor Bierman, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

The roll was then called on the pending ordinance and it was finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Leal, Medina, Yaki, Yee - 7.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisors Brown, Teng - 2.

The President resumed the Chair.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Criminal Penalties, Housing Code Violations]

Ordinance amending Housing Code, to require that all life-safety code violations relating to fire safety, the provision of heat or hot water, or the existence of conditions that endanger the life, limb, health, safety or welfare of any person or the public be chargeable as misdemeanors, and to provide for the return of civil penalties recovered under Section 204 to the Department of Building Inspection's Special Fund. (Supervisors Newsom, Bierman, Teng, Medina, Leal, Katz)

File 125-97-1, Ordinance No. 418-97

(Amends Section 204.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recommendation of Rules Committee

Finally Passed

[Emergency Vehicle Use, Citizen Complaints Office]

Ordinance amending Administrative Code, to allow employees of the Office of Citizen Complaints to use emergency vehicles owned by the City and County for transportation to and from their place of residence. (Supervisors Ammiano, Bierman, Brown)

File 97-97-46, Ordinance No. 410-97

(Amends Section 4.11.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Leal, Medina, Newsom, Yaki, Yee - 8.

Noes: Supervisor Kaufman - 1.

Absent: Supervisors Brown, Teng - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Treasure Island and Jail No. 3 Improvements]

Ordinance waiving the competitive bidding requirements of Administrative Code Sections 6.01, 6.04 and 6.05 and authorizing the Director of the Department of Public Works and/or the Sheriff to expeditiously enter into contracts for the renovation, furnishing and equipping of the former Navy brig at Treasure Island and repairs to Jail No. 3; companion measure to Files 101-97-20, 102-97-6. (Mayor)

File 172-97-64, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Passed for Second Reading as Amended

[Appropriation, Treasure Island Brig]

Ordinance appropriating \$1,699,955, Sheriff Department from General Reserve-Treasure Island Brig to fund the costs associated with staffing, operation and capital improvement of the Naval Brig on Treasure Island for fiscal year 1997-98; placing \$100,000 on reserve; companion measure to Files 172-97-64, 102-97-6. (Mayor)

File 101-97-20, Ordinance No.

(Fiscal Impact.)

Supervisor Leal, seconded by Supervisor Yaki, moved to amend page two, line seven, by replacing "Twenty-seven (27)" with "28"; page two, line 25, by replacing "26" with "27"; page three, line seven, by replacing "27" with "28".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Passed for Second Reading

[Salary Ordinance Amendment, Sheriff]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Sheriff's Office, reflecting the creation of twenty seven (27) new positions and the reclassification of one (1) existing position; companion measure to Files 172-97-64, 101-97-20. (Mayor)

File 102-97-6, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Adopted

[Emergency Repair, Castlewood Reservoir]

Resolution authorizing retroactively expenditure of funds in the amount of \$650,000 for the design and construction of replacement wells at Castlewood Reservoir, Alameda County. (Public Utilities Commission)

File 28-97-8, Resolution No. 972-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Rescission of Noise Easements]

Resolution authorizing the granting of quitclaim deeds to rescind noise easements acquired from various property owners. (Real Estate Department)

File 82-97-3, Resolution No. 978-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading

[Zoning-Motor Vehicle Fuel and Alcoholic Beverages]

Ordinance amending Planning Code to prohibit establishments that sell motor vehicle fuel concurrent with distilled alcoholic beverages and to require conditional use authorization for establishments that sell motor vehicle fuel concurrent with beer or wine, and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Bierman, Teng)

File 115-96-15, Ordinance No.

(Adds Section 229;
Amends Sections 703.2, 803.2 and 803.4.)

(From Planning Department, Certificate of Determination of Exemption/Exclusion from Environmental Review dated February 26, 1997.)

(City Planning Commission Resolution No. 14372 adopted May 15, 1997, recommending proposed amendment containing revised ordinance language as Exhibit A was adopted and further amended in Committee.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Tour Bus Prohibition-15th Avenue]

Ordinance amending Ordinance Nos. 115-96, 282-96, and 270-97, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio, to provide that this prohibition on tour buses shall expire on December 31, 1999, rather than October 31, 1997. (Supervisors Teng, Bierman)

File 121-97-3.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Tour Bus Prohibition-25th Avenue]

Ordinance amending Ordinance Nos. 88-96, 281-96, and 272-97, which amended the Police Code to prohibit tour buses on El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar, to provide that this prohibition on tour buses shall expire on December 31, 1999, rather than October 31, 1997. (Supervisors Teng, Bierman)

File 121-97-4.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Adopted

[Street Artists]

Resolution designating temporary selling spaces in the downtown area at Harvey Milk Plaza for street artists certified by the Art Commission, for the holiday season, 1997, beginning on November 15, 1997 and ending on January 15, 1998. (Supervisors Teng, Bierman)

File 169-97-1, Resolution No. 993-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Contract-Intergovernmental Agreement]

Resolution authorizing the Human Rights Commission Executive Director to enter into an agreement with the Housing Authority to make available to the Housing Authority affirmative action/contract compliance/employment expertise and services, subject to the agreement being amended to provide that the Housing Authority shall reimburse the Commission for the services provided by the commission. (Supervisors Brown, Bierman)

File 206-97-8, Resolution No. 998-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Liquor License Transfer, 714 Montgomery Street]

Resolution determining that the transfer of an alcohol beverage control license from 431 Natoma Street to 714 Montgomery Street, to Mark Rennie for The Bubble Lounge, will serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-31, Resolution No. 999-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Liquor License, Stuhlmuller Vineyards]

Resolution determining that the issuance of a new wholesale and an off-sale beer and wine license to Fritz Stuhlmuller for Stuhlmuller Vineyards at the World Trade Center, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services)

File 223-97-32, Resolution No. 1000-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed for Second Reading

[Underground District, Gough/Green Streets]

Ordinance amending Ordinance No. 428-96 to redefine Underground District No. 325 in the Gough/Green area by adding certain property thereto (Fillmore Street from Green Street to the south side of Vallejo Street and Vallejo Street from the west side of Fillmore Street to the east side of Pierce Street). (Department of Public Works)

File 52-96-5.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Underground District, Dolores Heights]

Ordinance amending Ordinance No. 367-92 and 390-93 to redefine Underground District No. 318 in the Dolores Heights District by adding certain property thereto (Sanchez Street from Cumberland Street to Nineteenth Street). (Department of Public Works)

File 52-97-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Underground District, Mission Street]

Ordinance creating Underground District No. 326 along Mission Street (north side of Santa Marina Street to the south side of Silver Avenue). (Department of Public Works)

File 52-97-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

Recess

The Board, at the hour of 2:35 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:00 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Medina, Newsom, Yaki - 7.

Noted absent:

Supervisors Brown, Leal, Teng, Yee - 4.

Quorum present.

Supervisor Brown excused. (See supra.)

Supervisor Leal was noted present at 3:01 p.m.

Supervisor Teng excused. (See supra.)

Supervisor Yee was noted present at 3:01 p.m.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to the decision of the Director of Public Works dated August 21, 1997, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90 in Assessor's Block 4991, north and east of Executive Park Boulevard and Harney Way in the South Bayshore area.

File 59-97-3

(Appeal filed September 2, 1997.)

(October 14, 1997 - Consideration continued to October 27, 1997.)

The Clerk announced that the Board is in receipt of a letter from the appellant withdrawing the appeal.

The President asked if there was anyone present who wished to address the Board on this matter.

There being no response, the President declared the public hearing closed.

From the Clerk

(Only one of the following two motions should be adopted.)

Tabled

[Subdivision]

Motion approving decision of the Director of Public Works, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive Park Boulevard and Harney Way in the South Bayshore Area.

File 59-97-3.1

(October 14, 1997 - Consideration continued to October 27, 1997.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Subdivision]

Motion disapproving decision of the Director of Public Works, approving Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive Park Boulevard and Harney Way in the South Bayshore Area.

File 59-97-3.2

(October 14, 1997 - Consideration continued to October 27, 1997.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map for St. Francis Bay, a 19-lot subdivision as a Planned Unit Development for Lots 88 and 90, in Assessor's Block 4991, of property located at north and east of Executive Park Boulevard and Harney Way in the South Bayshore Area for consideration by the Board at its next meeting.

File 59-97-3.3

(October 14, 1997 - Consideration continued to October 27, 1997.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Male speaker, voter handbook information on freeway and City Attorney's race; urge term limits for all elected officials.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Germaine Wong]

Resolution commending Ms. Germaine Wong for her work, dedication and exceptional performance in making San Francisco a voter-friendly city and declaring November 20, 1997 as "Germaine Wong Day". (Supervisors Teng, Kaufman, Bierman, Katz)

File 6-97-188, Resolution No. 962-97

(October 20, 1997 - Introduced in Board for introduction on October 27, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[AIDS Awareness License Plate]

Resolution urging the California State Legislature to amend the California Vehicle Code to include Section 5073, allowing for the issuance of special interest license plates depicting a red ribbon which recognizes the impact the AIDS epidemic has had on our society and establish a fund which would allocate the proceeds from the sale of this plate to go to AIDS research. (Supervisors Newsom, Ammiano, Katz, Leal, Medina, Bierman, Teng, Yaki, Kaufman, Yee, Brown)

File 12-97-31, Resolution No. 967-97

(October 20, 1997 - Introduced in Board for introduction on October 27, 1997.)

Adopted.

[Gay and Lesbian Caucus]

Resolution urging the reinstitution of the National Democratic Committee's Gay and Lesbian Caucus. (Supervisors Ammiano, Bierman, Katz)

File 13-97-33, Resolution No. 968-97

(October 20, 1997 - Introduced in Board for introduction on October 27, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Native Americans]

Resolution urging the President to appoint a Native American representative to the President's Advisory Board on Race. (Supervisors Medina, Bierman, Katz)

File 13-97-34, Resolution No. 969-97

(October 20, 1997 - Introduced in Board for introduction on October 27, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Final Map]

Motion approving final map of 521-523-525 27th Street, a Residential Condominium Project, being a subdivision of Lot 88 in Assessor's Block No. 6590, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-28

(October 22, 1997 - Referred to Board for consideration on October 27, 1997.)

Adopted.

[Final Map]

Motion approving final map of 181-183-185 Franklin Street and 101 Fell Street, a Mixed Use Condominium Project, being a subdivision of Lot 1 in Assessor's Block No. 833, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 58-97-29

(October 22, 1997 - Referred to Board for consideration on October 27, 1997.)

Adopted.

[Final Map]

Motion approving final map of 3520 Balboa Street and 699 36th Avenue, a Mixed Use Condominium Project, being a subdivision of Lot 13 in Assessor's Block No. 1579, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 58-97-30

(October 22, 1997 - Referred to Board for consideration on October 27, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Brown Act Finding]

Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Imperative Resolutions]

Adopted

[Commend Thomas Crawford]

Resolution commending Lt. Thomas Crawford for his 30 years of distinguished service to the San Francisco Police Department.

File 006-97-189, Resolution No. 964-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

[Commend Maria Ravella Borzoni]

Resolution commending Maria Ravella Borzoni on her retirement from the US Restaurant.

File 006-97-190, Resolution No. 965-97

Supervisors Medina, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Brown, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Contracting Authority, Chapters 12B/12C]

Substitute ordinance amending Administrative Code Sections 12B.5-1 and 12C.5-1 to authorize the contracting officer to waive Chapters 12B and 12C upon the request of the potential contractor or on the contracting officer's own initiative where there are no qualified responsive bidders or potential contractors that comply with the requirements of those chapters, for bulk purchasing contracts and where compliance with those chapters would result in the City's entering into a contract with an entity that was set up, or is being used, for the purpose of evading the intent of the applicable chapter, in each case subject to notification of such proposed waiver to the Director of the Human Rights Commission and the Board of Supervisors and the prior approval of the Director of the Human Rights Commission; to require contracting officers to report waivers of Chapters 12B and 12C to the Director of the Human Rights Commission and to require the Director of the Human Rights Commission to monitor the use of such waivers and to report to the Board of Supervisors regarding such use; to require a statement in an approving resolution before any board committee having jurisdiction over a proposed contract as to whether the contract is subject to any 12B.5-(d) or 12C.5-1(d) waiver; and to authorize the Board to transfer waiver authority from contracting officers to the Director of Human Rights Commission by resolution. Supervisors Katz, Ammiano, Leal, Bierman presented. Referred to Finance Committee with request it be considered at the November 5, 1997 meeting.

File 097-97-021.02.

[Employee Signature Authorization Ordinance]

Ordinance amending Administrative Code by adding Article VII, Chapter 23, Sections 23.31 through 23.35, requiring certain labor representation procedures in hotel or restaurant development projects in which the City has a proprietary interest. Supervisors Katz, Yaki, Yee, Bierman, Leal, Medina, Teng, Ammiano presented. Referred to Finance Committee.

File 097-97-062.

[Appropriation, Human Rights Commission]

Ordinance appropriating \$75,000, Human Rights Commission, from General Fund Reserve to fund a disparity study, for fiscal year 1997-98. Supervisor Kaufman presented. Referred to Finance Committee.

File 101-97-029.

Referred to Board

[Commend Clifford Uyeda]

Resolution commending the lifetime achievements of Dr. Clifford Uyeda. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar November 3, 1997.

File 006-97-191.

[Commend James T. Ferguson]

Resolution commending James T. Ferguson for service with the San Francisco Fire Department. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar November 3, 1997.

File 006-97-192.

[Commend Timothy F. O'Brien]

Resolution commending Timothy F. O'Brien for service with San Francisco Fire Department. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar November 3, 1997.

File 006-97-193.

Referred to Committee

[Interim Zoning Controls, Ballpark Vicinity]

Resolution imposing interim zoning controls for a period of 18 months to establish the Ballpark Vicinity Special Use District, which would apply in the area bounded by Highway 80 and the Bay Bridge to the north, Fourth Street to the west, China Basin Channel to the south and San Francisco Bay to the east, excluding the Northeast China Basin Special Use District and the Mission Bay Districts and would require Planning Commission approval for certain enumerated uses and prohibit entirely other uses pending the adoption of permanent controls. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 111-97-004.

Referred to Board

[Lighting, Beale Street Carpool Site]

Resolution urging the Bureau of Light, Heat and Power for the City and County of San Francisco to provide emergency lighting for the Beale Street carpooling site (south of Howard Street). Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar November 3, 1997.

File 191-97-005.

Referred to Committee

[Parking Meter Replacement Program]

Hearing to consider the status of the City-wide parking meter replacement program. Supervisors Kaufman, Newsom, Bierman presented. Referred to Finance Committee.

File 190-97-011.01.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar November 3, 1997.

File 030-97-001.20.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-97-006. [Sidewalk Width Regulations, Irving Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1540 to change the official sidewalk width on Irving Street between Arguello Boulevard and Second Avenue, as shown on the Department of Public Works drawing labeled Q-20-480, making findings pursuant to the General Plan and Planning Code Section 101.1, and requesting other official action in connection therewith. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 045-97-113. [Coca Cola Company, v. CCSF] Ordinance authorizing settlement of litigation of Coca Cola Company against the City and County of San Francisco and unlitigated business license and payroll tax claims of the Coca Cola Company by refunding \$185,000 plus interest on any delay in payment beyond December 9, 1997. (Superior Court No. 984-774). (City Attorney) Referred to Rules Committee.

File 045-97-114. [Robinson, et al. v. CCSF] Ordinance authorizing settlement of litigation of Dale Robinson, Judy Erickson, Earl Gilman, Herb Weiner and Carole White against the City and County of San Francisco by payment of \$325,008.00. (Superior Court No. 939-555). Referred to Rules Committee.

File 052-96-002.02. [Underground District] Ordinance amending Ordinance No. 155-96 to redefine Underground District No. 322 in the Alpine Terrace/Museum Way District by adding certain property thereto. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 101-97-022. [Appropriation, Public Transportation Commission] Ordinance appropriating \$1,364,564, Public Transportation Commission, of Safe Harbor Lease Revenue to provide additional funding for the Advanced Train Control System Project for fiscal year 1997-98. RO #97114. (Controller) Referred to Finance Committee.

File 101-97-025. [Appropriation, Hetch Hetchy Water and Power Dept] Ordinance appropriating \$265,518, Hetch Hetchy Water and Power Department, of Hetch Hetchy Power Revenues for the creation of a new Retail Power Accounts Program and for the creation of four (4) new positions for fiscal year 1997-98; companion measure to File 102-97-7. RO #97127. (Controller) Referred to Finance Committee.

File 101-97-026. [Appropriation, Airport Commission] Ordinance appropriating \$4,000,000, Airport Commission, from fund balance to reduce estimated landing fees revenue pursuant to lease and use agreement between San Francisco Airport and various airlines, for fiscal year 1997-98. RO #97130. (Controller) Referred to Finance Committee.

File 101-97-027. [Appropriation, Department of Public Works] Ordinance appropriating \$755,000, Department of Public Works, from the General Fund Reserve (\$695,000 from reserve for Third Street cleanup and \$60,000 from reserve for Tenderloin extra cleaning services) to fund salaries, supplies and equipment for cleaning services in the Bayview and Tenderloin areas and the creation of one (1) position for fiscal year 1997-98; companion measure to File 102-97-8. RO #97128. (Controller) Referred to Finance Committee.

File 101-97-028. [Appropriation, District Attorney] Ordinance appropriating \$189,740, District Attorney, of General Fund 8ad Check Recovery Revenues, for the creation of three and a half (3.5) positions for fiscal year 1997-98; companion measure to File 102-97-9. RO #97129. (Controller) Referred to Finance Committee.

File 115-97-009. [Institutional Master Plan] Substitute ordinance amending Planning Code Section 304.5 to allow any existing institution presently occupying a site of less than one acre and not anticipating any future expansion to more than one acre to file an abbreviated institutional master plan. (Planning Department) Referred to Housing and Neighborhood Services Committee.

File 164-97-004.01. [Former Octavia St. Easement-Vacation and Sale] Ordinance ordering the vacation and sale of a portion of a sewer and public utility easement located in the former Octavia Street between Post Street and Geary Boulevard and authorizing other official actions in connection therewith; companion measure to File 164-97-4. (Real Estate Department) Referred to Economic Development, Transportation and Technology Committee.

Resolutions Referred to Committee

File 046-97-011. [Property Tax Settlement] Resolution authorizing settlement of property tax disputes with Stanislaus and San Joaquin Counties. (State Board of Equalization Numbers ARA 95-010 and 95-012). (City Attorney) Referred to Rules Committee.

File 064-97-018. [Extension and Renewal of Leases] Resolution authorizing retroactive extension and renewal of seven (7) existing leases of real property required by the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 133-97-007. [Used Oil Recycling Grant] Resolution authorizing the City Administrator to apply for up to \$500,00 in Oil Recycling Grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (City Administrator) Referred to Health, Family and Environment Committee.

File 164-97-004. [Former Octavia St. Easement-Vacation and Sale] Resolution declaring intention of the Board of Supervisors to vacate and sell a portion of a sewer and public utility easement located in the former Octavia Street between Post Street and Geary Boulevard setting the hearing date for all persons interested in the proposed vacation and sale, making findings of General Plan conformance and consistency with Planning Code Section 101.1, and authorizing other actions in connection therewith; companion measure to File 164-97-4.1. (Real Estate Department) Referred to Economic Development, Transportation and Technology Committee.

File 172-97-068. [Contract, CCSF - State Dept. of Social Services] Resolution authorizing retroactively the execution of a contract between the City and County of San Francisco and the State of California Department of Social Services in the amount of \$20,000 for participation by the City and County in media recruitment of foster and adoptive homes for the fiscal years 1997-1998 and 1998-1999. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 172-97-069. [Agreement, Sheriff/Dr. George Bach-Y-Rita] Resolution authorizing the Sheriff's Department to enter into a professional services agreement with George Bach-Y-Rita, M.D., which provides for indemnification of Dr. Bach-Y-Rita from compensatory damages for negligent formation of his professional opinion as to psychological suitability of applicants for employment as Deputy Sheriffs in San Francisco County. (Sheriff) Referred to Housing and Neighborhood Services.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Leal, that City Attorney review, prepare and approve as to form legislation which would establish a Green Building Design ordinance relating to resource-efficient guidelines for the planning, design, construction and operation of City buildings based on proposal recommended by the Department of the Environment.

By Supervisor Newsom, that letter of inquiry be sent to Chief of Police about enforcement of the Bryant Street carpool lane to determine the schedule breakdown between the Police Department and the California Highway Patrol at this location.

By Supervisor Newsom, that letter of inquiry be sent to Director, Department of Public Works concerning pigeon droppings at the Beale Street carpool site to determine whether cleaning is within its purview and/or whether Caltrans can be requested to keep the area cleaner.

By Supervisor Ammiano, that letter of inquiry be sent to Director, San Francisco Housing Authority to determine whether landlord participation in Section 8 housing voucher programs has been affected by rising rents in the city and whether housing voucher recipients are being forced to move more frequently as a result.

By Supervisor Ammiano, that letters be sent to Director, Department of Public Health and the San Francisco Unified School District requesting that they monitor the current condom recall to ensure that compromised "goods" are not distributed to students or clients.

By Supervisor Ammiano, that letter be sent to his Honor, Mayor Willie L. Brown, Jr. requesting he appoint an additional member to the Citizens Advisory Committee of the Mission Bay Development Project who is a resident of Lower Potrero Hill because the project area has been expanded to include Lower Potrero Hill at Mariposa Street.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Richard Peckman (Supervisors Leal, Kaufman, Katz)
Judith Chapman (Supervisors Katz, Kaufman)

File 2-97-41

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:03 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 22, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, November 3, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 3, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisors Katz, Leal - 2.

Quorum present.

Supervisor Katz excused. (See infra.)

Supervisor Leal was noted present at 2:05 p.m.

Supervisor Katz Excused

The Clerk stated Supervisor Katz requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Teng, moved to excuse Supervisor Katz from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Presentation Made

There being no objection, on motion by Supervisor Yee, seconded by Supervisor Ammiano, the rules were suspended for the purpose of introducing two guests and presenting each with a Certificate of Honor.

Supervisor Yee introduced and welcomed Elisa Leung and Ed Lew and commended them on their work in the Department of Human Services and for receiving the "Employee of the Month" awards for their work on welfare reform by getting the welfare clients off the roll and into jobs.

CONSENT CALENDAR

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Zoning-Motor Vehicle Fuel and Alcoholic Beverages]

Ordinance amending Planning Code to prohibit establishments that sell motor vehicle fuel concurrent with distilled alcoholic beverages and to require conditional use authorization for establishments that sell motor vehicle fuel concurrent with beer or wine, and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Bierman, Teng)

File 115-96-15, Ordinance No. 420-97

(Adds Section 229;
Amends Sections 703.2, 803.2 and 803.4.)

(From Planning Department, Certificate of Determination of Exemption/Exclusion from Environmental Review dated February 26, 1997.)

Finally passed.

[Tour Bus Prohibition-15th Avenue]

Ordinance amending Ordinance Nos. 115-96, 282-96, and 270-97, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio, to provide that this prohibition on tour buses shall expire on December 31, 1999, rather than October 31, 1997. (Supervisors Teng, Bierman)

File 121-97-3.1, Ordinance No. 425-97

Finally passed.

[Tour Bus Prohibition-25th Avenue]

Ordinance amending Ordinance Nos. 88-96, 281-96, and 272-97, which amended the Police Code to prohibit tour buses on El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar, to provide that this prohibition on tour buses shall expire on December 31, 1999, rather than October 31, 1997. (Supervisors Teng, Bierman)

File 121-97-4.1, Ordinance No. 426-97

Finally passed.

Recommendations of Economic Development, Transportation
and Technology Committee

Finally Passed

[Underground District, Gough/Green Streets]

Ordinance amending Ordinance No. 428-96 to redefine Underground District No. 325 in the Gough/Green area by adding certain property thereto (Fillmore Street from Green Street to the south side of Vallejo Street and Vallejo Street from the west side of Fillmore Street to the east side of Pierce Street). (Department of Public Works)

File 52-96-5.2, Ordinance No. 419-97

Finally passed.

[Underground District, Dolores Heights]

Ordinance amending Ordinance No. 367-92 and 390-93 to redefine Underground District No. 318 in the Dolores Heights District by adding certain property thereto (Sanchez Street from Cumberland Street to Nineteenth Street). (Department of Public Works)

File 52-97-3, Ordinance No. 421-97

Finally passed.

[Underground District, Mission Street]

Ordinance creating Underground District No. 326 along Mission Street (north side of Santa Marina Street to the south side of Silver Avenue). (Department of Public Works)

File 52-97-4, Ordinance No. 422-97

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Treasure Island and Jail No. 3 Improvements]

Ordinance waiving the competitive bidding requirements of Administrative Code Sections 6.01, 6.04 and 6.05 and authorizing the Director of the Department of Public Works and/or the Sheriff to expeditiously enter into contracts for the renovation, furnishing and equipping of the former Navy brig at Treasure Island and repairs to Jail No. 3; companion measure to Files 101-97-20, 102-97-6. (Mayor)

File 172-97-64, Ordinance No. 427-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appropriation, Treasure Island Brig]

Ordinance appropriating \$1,699,955, Sheriff Department from General Reserve-Treasure Island Brig to fund the costs associated with staffing, operation and capital improvement of the Naval Brig on Treasure Island for fiscal year 1997-98; placing \$100,000 on reserve; companion measure to Files 172-97-64, 102-97-6. (Mayor)

File 101-97-20, Ordinance No. 423-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Salary Ordinance Amendment, Sheriff]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Sheriff's Office, reflecting the creation of twenty seven (27) new positions and the reclassification of one (1) existing position; companion measure to Files 172-97-64, 101-97-20. (Mayor)

File 102-97-6, Ordinance No. 424-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

NEW BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Affordable Housing Bond Program]

Ordinance amending Administrative Code, to describe the Affordable Housing and Homeownership Bond Program; companion measure to File 97-97-56.1. (Supervisors Brown, Bierman, Teng)

File 97-97-56, Ordinance No.

(Adds Chapter 81, Sections 81.1 through 81.7.)

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to November 10, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Affordable Housing Bond Program Regulations]

Resolution approving regulations for the Affordable Housing and Homeownership Bond Program as amended; companion measure to File 97-97-56. (Supervisors Brown, Bierman, Teng)

File 97-97-56.1, Resolution No.

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to November 10, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Affordable Housing Bonds]

Ordinance establishing general terms and procedures for the issuance and sale of General Obligation Bonds (Affordable Housing), authorized by the voters of the City and County as Measure A in November 1996, to be issued in the aggregate principal amount of \$100,000,000; providing for the repayment thereof; and providing for the establishment of accounts related thereto; companion measure to File 170-97-10.1. (Supervisors Brown, Leal, Bierman, Teng)

File 170-97-10, Ordinance No.

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to November 10, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Bond Sale, Affordable Housing, \$20,000,000]

Resolution authorizing and directing the sale of not to exceed \$20,000,000 City and County Taxable General Obligation Bonds (Affordable Housing) Series 1998A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of bonds and notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; companion measure to File 170-97-10. (Supervisors Brown, Leal, Bierman)

File 170-97-10.1, Resolution No.

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to November 10, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Passed for Second Reading

[Departmental Overtime Expenditures]

Ordinance amending Administrative Code to establish procedures for tracking departmental overtime expenditures. (Supervisors Leal, Newsom, Teng)

File 97-97-61, Ordinance No.

(Amends Section 18.13.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Sublease Building 3, Treasure Island]

Resolution approving and authorizing an agreement by and between the City and County and Universal Studios for the sublease of Building 3 on Naval Station Treasure Island; subject to certain conditions. (Mayor)

File 65-97-10.1, Resolution No. 1006-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Jail Overcrowding Fine Account]

Resolution authorizing the Sheriff to supplement its existing contract with Milestones Residential Treatment Bed Facility in the amount remaining in the Jail Overcrowding Fine Account for the purpose of reducing the jail population. (Supervisor Kaufman)

File 195-97-1, Resolution No. 1016-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Rules Committee

Consideration Continued

[Public Record, Contract/Bid Raters]

Ordinance amending Administrative Code, to specify that the evaluation forms and names of persons serving as raters for any City contract selection or bidding procedures would be subject to public inspection after the evaluation process has been completed. (Supervisor Ammiano)

File 97-97-37, Ordinance No.

(Amends Section 67.24.)

Supervisor Ammiano, seconded by Supervisor Brown, moved to continue consideration to November 17, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Passed for Second Reading as Amended

[Municipal Elections Code]

Ordinance enacting Elections Code, to provide rules and procedures for the orderly conduct of Municipal Elections, including rules for nomination of elective officers, submission of measures to the voters, preparation and form of ballots, preparation and form of materials mailed to the voters, and organization of the Ballot Simplification Committee and the Citizens Advisory Committee on Elections; and repealing Administrative Code Sections 5.69 - 5.89, inclusive. (Supervisor Leal)

File 269-97-1, Ordinance No.

(Enacts Elections Code, Articles 1-IX;
Repeals Administrative Code Sections 5.69-5.89.)

Supervisor Leal, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Supervisor Leal, seconded by Supervisor Ammiano, moved to amend page 30, line 19 by deleting the "s" in "subsections" and by deleting "and (c)"; and amend page 30, line 23 by inserting "Board of Supervisors," before the word, "School".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

The roll was then called on the ordinance and it was passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted

[Appointment]

Resolution appointing member to the Advisory Council to the Commission on the Aging, for a new two-year term ending March 31, 1999. (Rules Committee)

File 92-97-13, Resolution No. 1007-97

(Joan P. Emerson, succeeding Pat Durham, Seat No. 20310, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appointments]

Resolution appointing members to the Immigrant Rights Commission, pursuant to Ordinance No. 211-97, for terms to be determined by lot. (Rules Committee)

File 92-97-27.1, Resolution No. 1009-97

(Renato A. Ecarma
Marie-Lorraine F. Mallare
Thou Ny
Richard G. Ow
Renee Saucedo
Martin S. Schenker
Lee A. Sprague
Nam P. Thai.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appointments]

Resolution appointing members to the Adult Day Health Care Planning Council, terms expired, for new three-year terms ending September 30, 2000; making findings waiving residency requirements. (Rules Committee)

File 92-97-41.2, Resolution No. 1010-97

(Annette M. Williams, succeeding herself, Seat No. 20013, must represent transportation for senior citizens;
Gay T. Kaplan, succeeding himself, Seat No. 20011, Department of Public Health representative.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appointments]

Resolution appointing members to the City-Wide Alcoholism Advisory Board; all applicants must have professional, research, or personal interest in alcoholism. (Rules Committee)

File 92-97-22, Resolution No. 1008-97

(George E. Kloves, succeeding M. Sean Smith, Seat No. 20612, term expired, for new three-year term ending July 1, 2000;
Harold T. West, succeeding Carlos Martinez, Seat No. 20615, resigned, for unexpired portion of three-year term ending July 1, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appointments]

Resolution appointing members to the Drug Abuse Advisory Board. (Rules Committee)

File 92-97-45.1, Resolution No. 1013-97

(Richard E. Gee, succeeding Dominique R. Leslie, Seat No. 22104, public-at-large, resigned, for unexpired portion of three-year term ending October 1, 1999;
Katrina E. Powell, succeeding Jeffrey Reed, Seat No. 22106, public-at-large, resigned, for unexpired portion of three-year term ending October 1, 1999;
Margo St. James, succeeding herself, Seat No. 22113, public at large, term expired, for new three-year term ending October 19, 2000;
Vernon Grigg III, succeeding himself, Seat No. 22101, must represent law enforcement, term expired, for new three-year term ending October 19, 2000.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appointment]

Resolution appointing member to the Commission of Animal Control and Welfare, for unexpired portion of two-year term ending April 30, 1998. (Rules Committee)

File 92-97-43.1, Resolution No. 1011-97

(June P. Wilson, succeeding Matthew Kaplan, Seat No. 20702, public at large, deceased.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appointment]

Resolution appointing member to the Assessment Appeals Board, for unexpired portion of three-year term ending September 4, 2000. (Rules Committee)

File 92-97-44, Resolution No. 1012-97

(Frank W. Mahoney III, succeeding Owen Brady, Seat No. 21013, Board No. 2, Hearing Officer, alternate position, vacant.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appointments]

Resolution appointing members to the Lead Poisoning Prevention Citizens Advisory Committee, terms expired, for new four-year terms ending August 20, 2001. (Rules Committee)

File 92-97-46.1, Resolution No. 1014-97

(Loretta Krueger, succeeding herself, Seat No. 26617, must have expertise in immigrant services; Maria Luz Torre, succeeding herself, Seat No. 26623, parent.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

PUBLIC COMMENT

The President inquired if there are anyone present who wished to address the Board.

There being no response, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Clifford Uyeda]

Resolution commending the lifetime achievements of Dr. Clifford Uyeda. (Supervisors Yaki, Teng)

File 6-97-191, Resolution No. 1001-97

(October 27, 1997 - Introduced in Board for consideration on November 3, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Commend James T. Ferguson]

Resolution commending James T. Ferguson for service with the San Francisco Fire Department. (Supervisors Yaki, Bierman, Kaufman, Teng)

File 6-97-192, Resolution No. 1002-97

(October 27, 1997 - Introduced in Board for consideration on November 3, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng requested to be added as co-sponsors.

[Commend Timothy F. O'Brien]

Resolution commending Timothy F. O'Brien for service with San Francisco Fire Department. (Supervisors Yaki, Bierman, Teng)

File 6-97-193, Resolution No. 1003-97

(October 27, 1997 - Introduced in Board for consideration on November 3, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Lighting, Beale Street Carpool Site]

Resolution urging the Bureau of Light, Heat and Power to provide emergency lighting for the Beale Street carpooling site (south of Howard Street). (Supervisors Newsom, Bierman, Teng)

File 191-97-5, Resolution No. 1015-97

(October 27, 1997 - Introduced in Board for consideration on November 3, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 30-97-1.20

(October 27, 1997 - Introduced in Board for consideration on November 3, 1997.)

Adopted.

[Commend Community Educational Services]

Resolution commending the Community Educational Services on the "Celebration of Young Heroes" fundraising dinner and on the vital role that it has played in improving the quality of life in the San Francisco Community, and extending sincere best wishes for its continued success in the future, and proclaiming this 6th day of November as "Community Educational Services Day" in San Francisco. (Supervisors Teng, Bierman)

File 6-97-194, Resolution No. 1004-97

(October 28, 1997 - Referred to Board for consideration on November 3, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Brown Act Finding]

Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Imperative Resolution]

Adopted

[Commend Mezcla]

Resolution welcoming the Cuban performers "Mezcla" and commending their historic San Francisco performances as a precursor to future international cultural exchanges.

File 006-97-195, Resolution No. 1005-97

Supervisors Medina, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Waterfront Land Use Plan]

Ordinance amending Administrative Code by amending Sections 61.3, 61.4, 61.5 and 61.6 to add maritime land uses, acceptable non-maritime land uses and unacceptable non-maritime land uses and define terms as required by Proposition H, 11/6/90. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 097-97-063.

[News-Gathering Vehicles]

Ordinance amending Traffic Code by amending Sections 11.3, 11.4 and adding Sections 11.9 and 11.10 to grant preferential parking privileges to members of the press when engaged in the gathering or photographing of news. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 124-97-005.

[Commend America's Community Bankers]

Resolution commending America's Community Bankers for its generous support of Clara House. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar November 10, 1997.

File 006-97-196.

Referred to Board

[Permit, National Center for International School]

Resolution granting revocable permission to National Center for International School (NCIS) to install and construct underground conduits, including two (2) pre-emption programs for emergency egress by the San Francisco Fire Department, masts, booms, traffic signal lights and controllers for a signalized mid-block crosswalk between 150 and 151 Oak Street and adopting findings pursuant to Planning Code Section 101.1. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar November 10, 1997.

File 010-97-012.

Referred to Committee

[Permit, Cahill Contractors, Inc.]

Resolution granting revocable permission to Cahill Contractors, Inc., agents for Glide Community Development, Inc., to temporarily close and occupy the west sidewalk and a portion of the street area on Taylor Street during construction operations at the Cecil Williams Glide Community House at 333 Taylor Street. Supervisors Teng, Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 010-97-013.

Referred to Board

[Discrimination Against Women]

Resolution supporting local implementation of the underlying principles of the Convention on the Elimination of All Forms of Discrimination Against Women and urging the United States Senate to ratify the Convention on the Elimination of All Forms of Discrimination Against Women. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar November 10, 1997.

File 013-97-035.

[Nicaraguan Review Program]

Resolution urging the United States Congress to consider enhancing the Nicaraguan Review Program by offering an asylum policy of equal treatment to all immigrants. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar November 10, 1997.

File 013-97-036.

Referred to Committee

[Contract Out, Security Services]

Resolution concurring with the Controller's certification that facility security services for the Public Transportation Commission can be practically performed by a private contractor at a lower cost than by City and County employees. Supervisor Yaki presented. Referred to Finance Committee with request it be considered at the November 12, 1997 meeting.

File 025-97-016.

[Funds, Treasure Island Project Office]

Resolution authorizing the Mayor's Treasure Island Project Office, Department of Business and Economic Development to accept and expend grant funds from the California Trade and Commerce Agency's defense adjustment matching grant program and authorizing the Mayor or Mayor's designee to execute any documents necessary to receive these funds. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 068-97-005.01.

[Transsexual Health Services]

Resolution urging elimination of exclusions for transsexual treatment and surgeries in City employee health plans. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar November 10, 1997.

File 078-97-004.

Requests for Hearings:

[Park Rangers]

Hearing to consider the Park Rangers participation in resolving problems in City parks. Supervisors Medina, Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 193-97-004.02.

[Golden Gate Park, Criminal Activities]

Hearing to consider the proliferation of criminal activities in Golden Gate Park, creation of additional shelters to house homeless campers, report on the implementation of the Treatment on Demand program, police enforcement, removal of hypodermic needles and safety of Recreation and Park Department staff. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 193-97-009.

Motions:

[Budget Analyst Contract]

Motion authorizing execution of an agreement between the Board of Supervisors and Stanton W. Jones and Associates/ Debra A. Newman/ Rodriguez, Perez, Delgado & Company Certified Public Accountants/ Harvey M. Rose Accountancy Corporation Certified Public Accountants/ Mah & Louie Certified Public Accountants, a joint venture, to provide budget analyst services January 1, 1998 to December 31, 1999, with two two-year options to extend the agreement. Clerk of the Board on behalf of the Board. Referred to Finance Committee.

File 098-97-002.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-115. [John A. Breeding v. CCSF, et al.] Ordinance authorizing settlement of litigation of John A. Breeding against the City and County of San Francisco by payment of \$90,000. (Superior Court No. 971-260). (City Attorney) Referred to Rules Committee.

File 045-97-116. [Lan Jun Lok, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Lan Jun Lok and Po Wah Lok against the City and County of San Francisco by payment of \$107,500. (Superior Court No. 973-000). (City Attorney) Referred to Rules Committee.

File 045-97-117. [Michael Prestridge, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Michael Prestridge against the City and County of San Francisco by payment of \$150,000. (Superior Court Consolidated Case Nos. 955-602 and 976-234). (City Attorney) Referred to Rules Committee.

File 045-97-118. [Vanessa Santarsiero v. CCSF, et al.] Ordinance authorizing settlement of litigation of Vanessa Santarsiero against the City and County of San Francisco by payment of \$27,500. (Superior Court No. 977-108). (City Attorney) Referred to Rules Committee.

File 045-97-119. [Ivan E. Gonzalez v. CCSF, et al.] Ordinance authorizing settlement of litigation of Ivan E. Gonzalez against the City and County of San Francisco by payment of \$26,500. (Superior Court No. 981-928). (City Attorney) Referred to Rules Committee.

File 045-97-120. [U.S.A. (DAVIS) v. CCSF] Ordinance authorizing settlement of litigation of U.S.A. (Davis) v. City and County of San Francisco, by payment of \$250,000. (Also see File 45-96-49). (U.S. District Court, Northern District of California, Consolidated Case Nos. C84-7089 MHP and C84-1100). (City Attorney) Referred to Rules Committee.

File 045-97-121. [Carolyn Mitchell v. CCSF] Ordinance authorizing settlement of litigation in the matter of Carolyn Mitchell v. City and County of San Francisco by payment of \$95,000. (U.S. District Court No. C-96-3872 PJH). (City Attorney) Referred to Rules Committee.

File 045-97-122. [Dwight Alan Culdice, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Dwight Alan Culdice and Purisima Culdice v. City and County of San Francisco by payment of \$283,690. (Superior Court No. 959-417). (City Attorney) Referred to Rules Committee.

File 045-97-123. [Yee v. CCSF] Ordinance authorizing settlement of litigation of Walter and Ramona Yee against the City and County of San Francisco by payment of \$1,648,000. (Superior Court No. 980-740). (City Attorney) Referred to Rules Committee.

File 102-97-007. [Salary Ordinance Amendment, Hetch Hetchy] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Hetch Hetchy Water and Power Department, reflecting the creation of four (4) new positions (Class 1063 IS Senior Programmer, 1366 Special Assistant VII, 1368 Special Assistant IX, and 5633 Water & Power Specialist); companion measure to File 101-97-25. (Department of Human Resources) Referred to Finance Committee.

File 102-97-008. [Salary Ordinance Amendment, Dept. of Public Works] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Public Works, reflecting the creation of one (1) position (Class 8280 Environmental Control Officer); companion measure to File 101-97-27. (Department of Human Resources) Referred to Finance Committee.

File 102-97-009. [Salary Ordinance Amendment, District Attorney] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), District Attorney, reflecting the creation of 3.5 new positions (Class 8131 Victim Witness Investigator II, 8132 District Attorney's Investigative Assistant, 8146 District Attorney's Investigator, and 8178 Senior Attorney); companion measure to File 101-97-28. (Department of Human Resources) Referred to Finance Committee.

File 126-97-001. [Condominium Conversion Limitation] Ordinance amending Subdivision Code by amending Article 9, Section 1396 to extend the annual condominium conversion limitation for one additional year. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

Resolutions Referred to Committee

File 028-97-009. [Emergency Repair, Woodland Avenue Sewer] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Woodland Avenue from Willard Street to 260 feet northeasterly - \$81,142.00 (Public Utilities Commission) Referred to Finance Committee.

File 030-97-021. [CHIP Program Funds for Fiscal Year 1997-98] Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) Funds for Fiscal Year 1997/98 and that the President duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP Funds for Fiscal Year 1997/98. (Department of Public Health) Referred to Finance Committee with request it be considered at the November 19, 1997 meeting.

File 038-97-015. [Gift Acceptance] Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of a cash donation of \$41,200 from the San Francisco Housing Authority. (Police Commission) Referred to Housing and Neighborhood Services Committee.

File 094-97-004. [Federal Grant, Environmental Education] Resolution authorizing the General Manager of Public Utilities Commission, to apply for, accept, and expend a \$24,000 environmental education grant from the United States Environmental Protection Agency for development and implementation of a pilot program designed to educate San Francisco children on preventing water pollution during Fiscal Year 1998-1999; waiving indirect costs. (Public Utilities Commission) Referred to Economic Development, Transportation and Technology Committee.

File 143-97-006. [State Grant, Suppression of Drug Abuse in Schools] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for retroactively, accept, and expend funds in the amount of One Hundred Thousand Dollars (\$100,000.00) which includes indirect costs of Five Thousand Dollars (\$5,000.00) and audit costs of One Thousand Three Hundred Dollars (\$1,300.00) for a project designated "Suppression of Drug Abuse in the Schools". (Police Department) Referred to Housing and Neighborhood Services Committee.

File 143-97-007. [State Grant, Operation Revitalization Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for retroactively, accept, and expend funds in the amount of Three Hundred Sixty Two Thousand-Five Hundred Nineteen Dollars (\$362,519.00) for a project designated "Operation Revitalization-Ocean View/Merced Heights/Ingleside"; waiving indirect costs. (Police Department) Referred to Housing and Neighborhood Services Committee.

File 170-96-12.3 [Bond Issuance, Educational Facilities] Substitute resolution providing for the issuance of not to exceed \$140,000,000 aggregate principal amount of City and County of San Francisco General Obligations Bonds (Educational Facilities Bonds, 1997), including the issuance of an initial series thereof in the aggregate principal amount of not to exceed \$17,000,000 and designated as the City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997-Community College District), Series 1998B; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of funds related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 170-97-9. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 170-97-9 [Bond Sale, Educational Facilities, \$17 Million] Substitute resolution authorizing and directing the sale of not to exceed \$17,000,000 City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997-Community College District), Series 1998B; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of funds related thereto approving the forms of official notice of sale of Bonds and notice of intention to sell Bonds; directing the publication of official notice of sale and notice of intention to sell Bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 170-96-12.3. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 172-97-070. [State Child Care Contract] Resolution authorizing retroactively the execution of a contract between the City and County of San Francisco and the State of California Department of Education in the amount of \$137,618 for participation by the City and County in the State's Child Care and Development Program for fiscal year 1997-1998. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 172-97-071. [Hold Harmless Agreement] Resolution authorizing the Chief of Police to execute a hold harmless agreement with the State of California concerning the participation of the San Francisco Police Department in the Parole LEADS program. (Police Commission) Referred to Housing and Neighborhood Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that City Attorney prepare ordinance amending the Planning Code to make commercial retail sales of caskets conditional uses throughout the City and County of San Francisco.

By Supervisors Ammiano, Yee, that letter of inquiry be sent to the San Francisco Unified School District to determine what action is being taken to address the growing racial tensions between students of Chinese and Russian descent.

Motions Adopted

Monday, November 3, 1997

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Dora Mustacchi (Supervisor Kaufman)
Marian Elliott Koshland (Supervisor Kaufman)
Joe Sugg (Supervisor Medina)
Paul Devone (Supervisor Newsom)
Louise Russell (Supervisor Newsom)

File 2-97-42

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:40 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 5, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, November 10, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 10, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Leal - 1.

Quorum present.

Supervisor Leal was noted present at 2:06 p.m.

Motion to Hold Meeting

The Clerk announced that there is a conflict between the Charter and Board of Supervisors' Rule 6.2 which states in part that the Board of Supervisors shall not meet on any Monday if the following day is a holiday, unless the Board, by majority vote, decides to hold a meeting at these times. The Clerk is of the opinion the Charter provision prevails but a motion that the Board hold this meeting would be helpful.

Supervisor Yaki, seconded by Supervisor Leal, moved that the Board convene this meeting today.

No objection and motion carried.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Yaki, moved that the Journals of Proceedings for Monday, September 15 and September 22, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Presentation of Guests

Supervisor Katz introduced and welcomed the following participants from Isreal to the Regional Women's Forum Delegates, Partnership 2000 conference, who are here to learn about San Francisco's approach to community programs and service delivery for women: Armelle Lehman, Ahuva Lipman, Rotem Ashkenazi, Ruthie Rancia, Ety Green-Revach, Dalia Shushan.

Suspension of the Rules

There being no objection, on motion by Supervisor Katz, seconded by Supervisor Yaki, the Rules of Order was suspended for the purposes of presenting Certificates of Honors.

Presentation Made

Supervisor Katz presented, on behalf of the Board of Supervisors, a Certificate of Honor to the delegation for their role in advocating women's issues

Presentation of Guests
Presentation Made

Supervisor Kaufman introduced, welcomed and presented Certificates of Honors to Deputy City Attorneys Catherine Payer and Victor Castillo in recognition of their years of service to the City and County of San Francisco and wish them success in the private sector.

CONSENT CALENDAR

Recommendation of Finance Committee

Finally Passed

[Departmental Overtime Expenditures]

Ordinance amending Administrative Code to establish procedures for tracking departmental overtime expenditures. (Supervisors Leal, Newsom, Teng, Katz, Brown)

File 97-97-61, Ordinance No. 428-97

(Amends Section 18.13.)

Finally passed.

In connection with the above item, Supervisors Katz, Brown requested to be added as co-sponsors.

Adopted

[Lease Amendment, 1540 Market Street]

Resolution authorizing an amendment to lease real property at 1540 Market Street for the Offices of Emergency Medical Services and Department of Public Health. (Real Estate Department)

File 64-96-21.1, Resolution No. 1017-97

Adopted.

[Lease of Property at 30 Van Ness Avenue]

Resolution authorizing a lease of real property at 30 Van Ness Avenue for the Department of Public Health for the Central City Seniors Unit. (Real Estate Department)

File 64-97-16, Resolution No. 1022-97

Adopted.

[Lease of Property]

Resolution authorizing and approving the lease of ground on city-owned property for a year-to-year term at the San Francisco County Jail in San Bruno, California, consisting of fourteen acres, to the Garden Project commencing November 1, 1997, without competitive bidding. (Supervisors Leal, Bierman)

File 65-97-13, Resolution No. 1023-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Affordable Housing Bond Program]

Ordinance amending Administrative Code, to describe the Affordable Housing and Homeownership Bond Program; companion measure to File 97-97-56.1. (Supervisors Brown, Bierman, Teng, Katz)

File 97-97-56, Ordinance No.

(Adds Chapter 81, Sections 81.1 through 81.7.)

(November 3, 1997 - Consideration continued to November 10, 1997.)

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to November 17, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Affordable Housing Bond Program Regulations]

Resolution approving regulations for the Affordable Housing and Homeownership Bond Program as amended; companion measure to File 97-97-56. (Supervisors Brown, Bierman, Teng, Katz)

File 97-97-56.1, Resolution No.

(November 3, 1997 - Consideration continued to November 10, 1997.)

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to November 17, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Affordable Housing Bonds]

Ordinance establishing general terms and procedures for the issuance and sale of General Obligation Bonds (Affordable Housing), authorized by the voters of the City and County as Measure A in November 1996, to be issued in the aggregate principal amount of \$100,000,000; providing for the repayment thereof; and providing for the establishment of accounts related thereto; companion measure to File 170-97-10.1. (Supervisors Brown, Leal, Bierman, Katz)

File 170-97-10, Ordinance No.

(November 3, 1997 - Consideration continued to November 10, 1997.)

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to November 17, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Bond Sale, Affordable Housing, \$20,000,000]

Resolution authorizing and directing the sale of not to exceed \$20,000,000 City and County Taxable General Obligation Bonds (Affordable Housing) Series 1998A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of bonds and notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; companion measure to File 170-97-10. (Supervisors Brown, Leal, Bierman, Katz)

File 170-97-10.1, Resolution No.

(November 3, 1997 - Consideration continued to November 10, 1997.)

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to November 17, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

Recommendation of Rules Committee

Finally Passed

[Municipal Elections Code]

Ordinance enacting Elections Code, to provide rules and procedures for the orderly conduct of municipal elections, including rules for nomination of elective officers, submission of measures to the voters, preparation and form of ballots, preparation and form of materials mailed to the voters, and organization of the Ballot Simplification Committee and the Citizens Advisory Committee on Elections; and repealing Administrative Code Sections 5.69 - 5.89, inclusive. (Supervisor Leal)

File 269-97-1, Ordinance No. 429-97

(Enacts Elections Code, Articles 1-IX;
Repeals Administrative Code Sections 5.69 through 5.89.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Fire Department]

Ordinance appropriating \$2,000,000, Fire Department, (\$1,500,000 from the General Fund Reserve and \$500,000 from rescinding professional services-Consent Decree) for a Disability Monitoring Program, and for overtime, temporary salaries, and fringe benefits for fiscal year 1997-98. (Mayor)

File 101-97-23, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

(Supervisor Kaufman dissenting in Committee.)

[Contracting Authority, Chapters 12B/12C]

Ordinance amending Administrative Code to authorize the contracting officer to waive Chapters 12B and 12C upon the request of the potential contractor or on the contracting officer's own initiative where there are no qualified responsive bidders or potential contractors who could be certified as complying with the requirements of those chapters, for bulk purchasing contracts and where compliance with those chapters would result in the City's entering into a contract with an entity that was set up, or is being used, for the purpose of evading the intent of the applicable chapter, in each case subject to notification of such proposed waiver to the Director of the Human Rights Commission and the Board of Supervisors and the prior approval of the Director of the Human Rights Commission; to require contracting officers to report waivers of Chapters 12B and 12C to the Director of the Human Rights Commission and to require the Director of the Human Rights Commission to monitor the use of such waivers and to report to the Board of Supervisors regarding such use; to require a statement in an approving resolution before any board committee having jurisdiction over a proposed contract as to whether the contract is subject to any 12B.5-1(d) or 12C.5-1(d) waiver; and to authorize the Board to transfer waiver authority from contracting officers to the Director of Human Rights Commission by resolution. (Supervisors Katz, Ammiano, Leal, Bierman, Medina, Yee, Teng)

File 97-97-21.2, Ordinance No.

(Amends Sections 12B.5-1 and 12C.5-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Medina, Yee, Teng requested to be added as co-sponsors.

The President resumed the Chair.

Adopted

[Bond Issuance, Educational Facilities]

Resolution providing for the issuance of not to exceed \$140,000,000 aggregate principal amount of City and County General Obligation Bonds (Educational Facilities Bonds, 1997), including the issuance of an initial series thereof in the aggregate principal amount of not to exceed \$17,000,000 and designated as the City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997 - Community College District), Series 1998B; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 170-97-9. (Mayor, Supervisors Teng, Medina)

File 170-96-12.3, Resolution No. 1018-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Medina requested to be added as co-sponsors.

[Bond Sale, Educational Facilities, \$17 Million]

Resolution authorizing and directing the sale of not to exceed \$17,000,000 City and County General Obligation Bonds (Educational Facilities Bonds, 1997 - Community College District), Series 1998B; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of Bonds and notice of intention to sell Bonds; directing the publication of official notice of sale and notice of intention to sell Bonds; approving the form and execution of official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority of City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds; companion measure to File 170-96-12.3. (Mayor, Supervisors Teng, Medina)

File 170-97-9, Resolution No. 1027-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Medina requested to be added as co-sponsors.

[Affinity Credit Card Program]

Resolution authorizing the Director of Administrative Services to enter into an operating and licensing agreement with the San Francisco Convention and Visitors Bureau for the development and operation of a San Francisco Affinity Credit Card Program. (Supervisor Bierman)

File 172-97-66, Resolution No. 1028-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Transfer of Hetch Hetchy Surplus Fund]

Resolution concurring with the Public Utilities Commission's fact finding that a fund surplus of \$45,703,273 exists in the utilities which can be transferred to the General Fund. (Public Utilities Commission)

File 100-97-5, Resolution No. 1025-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed for Second Reading

[Underground District]

Ordinance amending Ordinance No. 155-96 to redefine Underground District No. 322 in the Alpine Terrace/Museum Way District by adding certain property thereto. (Department of Public Works)

File 52-96-2.2, Ordinance No.

(District covering Alpine Terrace (all), Waller Street between the easterly boundary of Buena Vista Avenue East and the westerly boundary of Divisadero Street from Castro Street to Buena Vista Avenue East and Museum Way from a point 97 feet southeasterly of its southwesterly intersection with Roosevelt Way and continuing along Museum Way 655 feet to a point.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Grant - State]

Resolution authorizing the Department of Public Works, to accept and expend retroactively eleven (11) hazard mitigation grants of \$6,216,434 from the California Governor's Office of Emergency Services (OES) on behalf of the Federal Emergency Management Agency (FEMA); waiving indirect costs; placing \$4,196,840 on reserve. (Department of Public Works)

File 148-97-5, Resolution No. 1026-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to proposed amendment to Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area (by amending Ordinance Nos. 14-81, 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, 334-97 to expand the Project Area by adding land to the South Beach Sub-Area of the Project Area, specifically portions of Block 3774.

File 151-97-4.1

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors (401 Van Ness Avenue, Room 308; San Francisco, CA 94102.) at, or prior to, the public hearing.)

Supervisor Medina, seconded by Supervisor Newsom, moved to continue consideration to January 12, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Amending Rincon Point-South Beach Redevelopment Plan]
Ordinance amending Ordinance Nos. 14-81, 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, 334-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the Project Area by adding land to the South Beach Sub-Area of the Project Area, specifically portions of Block 3774. (Supervisor Yaki)

File 151-97-4.1, Ordinance No.

(September 30, 1997 - Redevelopment Agency Resolution No. 187-97 adopted, approving the proposed Amendment which would expand Site G by adding an approximate 44,000 square feet (consisting of two parcels) to the existing Site G in the Rincon Point-South Beach Redevelopment Project Area.)

(May 17, 1997 - Final Negative Declaration adopted indicating the project could not have a significant effect on the environment.)

Supervisor Medina, seconded by Supervisor Newsom, moved to continue consideration to January 12, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Temporary Committee Assignment

President Kaufman appointed Supervisor Amos Brown to replace Supervisor Jose Medina on the Housing and Neighborhood Services Committee meeting of November 6, 1997.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, supports Central Freeway, Alternative B;
Alan Evans, opposes rebuilding Central Freeway;
Patricia Walkup, supports Central Freeway, Alternative B;
Richard Johnson, Central Freeway;
Ellie Schafer, supports Central Freeway, Alternative B;
Rodney, new ballpark location traffic problems;
Amandeep Jawa, supports Central Freeway if it does not impact funding for Municipal Railway.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney to confer with legal counsel regarding San Francisco v. San Francisco Gun Exchange, Superior Court No. 975-036, as permitted by Government Code Section 54956.9(a).

Supervisor Leal, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recess

The Board recessed at the hour of 3:23 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 3:24 reconvened.

Calling the Roll

On call of the roll the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Noted Absent:

Supervisor Newsom - 1.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors met in closed session with the City Attorney regarding San Francisco v. San Francisco Gun Exchange, Superior Court No. 975-036, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was requested or taken by the Board.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Nicaraguan Review Program]

Resolution urging the United States Congress to consider enhancing the Nicaraguan Review Program by offering an asylum policy of equal treatment to all immigrants. (Supervisors Medina, Teng, Bierman)

File 13-97-36, Resolution No.

(November 3, 1997 - Introduced in Board for consideration on November 10, 1997.)

Supervisor Leal, seconded by Supervisor Medina, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Central Freeway Approval]

Resolution approving Caltrans Alternative 1B for restoring the Central Freeway and urging Caltrans to proceed with construction. (Supervisors Yee, Teng, Medina, Kaufman, Newsom, Brown)

File 85-97-6, Resolution No.

(November 5, 1997 - Referred to Board for consideration on November 10, 1997.)

At the request of Supervisor Bierman, referred to Economic Development, Transportation and Technology Committee.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[No on Fast Track]

Resolution urging Congresswoman Nancy Pelosi to vote No on Fast Track to Project Workers who have lost and will lose jobs because of North American Free Trade Agreement. (Supervisors Ammiano, Teng, Bierman, Medina)

File 13-97-37, Resolution No.

(November 5, 1997 - Referred to Board for consideration on November 10, 1997.)

Supervisor Leal, seconded by Supervisor Medina, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

In connection with the above item, Supervisors Teng, Bierman, Medina requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend America's Community Bankers]

Resolution commending America's Community Bankers for its generous support of Clara House. (Supervisors Yaki, Teng, Bierman, Medina)

File 6-97-196, Resolution No. 1019-97

(November 3, 1997 - Introduced in Board for consideration on November 10, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Medina requested to be added as co-sponsors.

[Permit, National Center for International School]

Resolution granting revocable permission to National Center for International School (NCIS) to install and construct underground conduits, including two (2) pre-emption programs for emergency egress by the San Francisco Fire Department, masts, booms, traffic signal lights and controllers for a signalized mid-block crosswalk between 150 and 151 Oak Street and adopting findings pursuant to Planning Code Section 101.1. (Supervisors Kaufman, Teng, Bierman)

File 10-97-12, Resolution No. 1020-97

(November 3, 1997 - Introduced in Board for consideration on November 10, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, requested to be added as co-sponsors.

[Discrimination Against Women]

Resolution supporting local implementation of the underlying principles of the Convention on the Elimination of All Forms of Discrimination Against Women and urging the United States Senate to ratify the Convention on the Elimination of All Forms of Discrimination Against Women. (Supervisor Kaufman, Katz, Teng, Bierman, Brown, Medina)

File 13-97-35, Resolution No. 1021-97

(November 3, 1997 - Introduced in Board for consideration on November 10, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Teng, Bierman, Brown, Medina requested to be added as co-sponsors.

[Transsexual Health Services]

Resolution urging elimination of exclusions for transsexual treatment and surgeries in City employee health plans. (Supervisors Ammiano, Bierman, Teng, Medina)

File 78-97-4, Resolution No. 1024-97

(November 3, 1997 - Introduced in Board for consideration on November 10, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Medina requested to be added as co-sponsors.

[Amended Map]

Motion approving amended map of 741-743-745-747A-747B Filbert Street, a Residential Condominium Project, being a subdivision of Lot 28 in Assessor's Block No. 101, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-31

(October 30, 1997 - Referred to Board for consideration on November 10, 1997.)

Adopted.

[Final Map]

Motion approving final map of 2990 Jackson Street, a Residential Condominium Project, being a subdivision of Lot 16 in Assessor's Block No. 976, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-32

(October 30, 1997 - Referred to Board for consideration on November 10, 1997.)

Adopted.

[Final Map]

Motion approving final map of Portside Phase II, a Residential Condominium Project, being a subdivision of Lot 138 in Assessor's Block No. 3768, and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 58-97-33

(October 30, 1997 - Referred to Board for consideration on November 10, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Apartment Unit Conversion]

Ordinance amending Administrative Code by amending Sections 41A.4 and 41A.5 to increase the minimum rental term from a daily term to a term of at least 30 days and by adding Section 41A.8 to provide specified administrative, civil and criminal penalties for violations of this chapter (Apartment Unit Conversion). Supervisors Teng, Newsom, Katz, Yaki, Brown, Medina, Leal presented. Referred to Housing and Neighborhood Services Committee.

File 097-97-034.01.

[Appropriation, Sheriff, Litigation]

Ordinance appropriating \$8,750,000, Sheriff, from General Fund Litigation Reserve Balance to claims and judgments and authorizing settlement of litigation between Stolte, Inc., a division of Green International on behalf of itself and its sub-contractors and the City and County for \$8,750,000. Supervisor Kaufman presented. Referred to Finance Committee.

File 101-97-034.

[Moratorium on Cabaret Licenses]

Ordinance amending Police Code by adding Section 1070.26 to create a moratorium on the issuance of cabaret permits for two years within the area bounded by Bush Street to the north, O'Farrell Street to the south, Taylor Street to the east and Van Ness Avenue to the west. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 110-97-001.

[Displaced Worker Protection Act]

Ordinance amending Police Code by adding Article 33C, Sections 3300C.1 through 3300C.6, to provide for the retention of security, janitorial, buildings maintenance and non-professional health care workers when a successor contract is awarded. Supervisor Bierman presented. Referred to Finance Committee.

File 121-97-010.

[Taxes, Add Common Administrative Provisions]

Ordinance amending Municipal Code, Part III, by adding Article 6, Sections 6.1-1 through 6.23.1, to add common administrative provisions for the transit occupancy tax, parking tax, utility users tax, emergency response fee, stadium operators tax, payroll expense tax and business tax and providing an effective date (January 1, 1998). Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-010.

[Transient Occupancy Tax]

Ordinance amending Municipal Code, Part III, Article 7 by amending Sections 501, 502, 502.5, 502.6, 502.6-1, 502.8, 502.8-1, 506 and 515 relating to definitions, rate of tax, surcharge, redevelopment project areas, exemptions and administration; and by repealing Sections 507, 508, 509, 510, 511, 512, 513, 514, 515.1, 516, 517 and 518 relating to registration, returns, deficiency determinations, failure to file return, jeopardy determinations, redeterminations, penalties and interest, collection, Board of Review, savings clause, violations and providing an effective date (January 1, 1998). Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-011.

[Parking Tax]

Ordinance amending Municipal Code, Part III, by amending Article 9, Sections 601, 602, 602A, 602.5, 604, 606 and 615 relating to Parking Tax definitions, imposition and rate of tax, charges subject to tax, surcharge, collection of tax, exemptions and administration; repealing Sections 607, 608, 609, 610, 611, 612, 613, 614, 616, 617 and 618 concerning registration of operator, returns, deficiency determinations, failure to file return, jeopardy determinations, redeterminations, penalties and interest, collection of tax, savings clause, violations a misdemeanor and effective date; and providing an effective date (January 1, 1998). Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-012.

[Utility Users Tax]

Ordinance amending Municipal Code, Part III, Article 10, by amending Sections 701, 703, 704, 705, 706, 706.1, 707, 707.2, 708, 709, 713, 714, 715 and 720 relating to Utility Users Tax definitions, telephone users, electricity users, gas users, water users, steam users, exemptions, rate adjustments, collection, reporting, records, refunds, failure to pay and purpose; repealing Sections 702, 710, 711, 712, 714.1, 716, 718, 721 and 722 concerning exemptions, interest and penalties, failure to collect, Board of Review, residential hotels, regulations, violations, savings clause and providing an effective date (January 1, 1998). Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-013.

[Emergency Response Fee]

Ordinance amending Municipal Code, Part III, Article 10A by amending Sections 751, 754, 756 and 765 pertaining to emergency response fee definitions, exemptions, sunset of fee and refunds; by repealing Sections 763, 764, 767, 769, 771 and 772 relating to appeal, Board of Review, records, rules and regulations, violations; misdemeanor, savings clause and providing an effective date (January 1, 1998). Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-014.

[Stadium Operators Tax]

Ordinance amending Municipal Code, Part III, Article 11, by amending Sections 801 and 807 relating to stadium operators tax definitions and exemptions; by repealing Sections 809 through 840, 842, 843 and 844 concerning determination of tax due, returns, contents of returns, filing, extension of time, deficiency determinations, interest, offsetting payments, penalties, fraud, service, notice of deficiency determination, no return made, computation, interest, fraud, service, jeopardy determinations, nonpayment, redetermination, time for filing, hearing, alteration of determination, finality of order, time for payment, service, penalties and interest, refund, administration, Board of Review, examination of records, disclosure, savings clause, violations and providing an effective date (January 1, 1998). Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-015.

[Payroll Expense Tax]

Ordinance amending Administrative Code, Article 12-A by amending Sections 902.4, 903, 903.1, 904, 905, 905-A, 906A, 906B, 906C and 917.1 pertaining to payroll expense tax defining "employee", imposition of tax, rates of tax, apportionment, nexus, small business exemption, enterprise zone credit, new jobs credit, summer youth employment credit and relation to business tax ordinance; by repealing Sections 902.3, 902.7, 902.8, 902.9, 905-B, 907.1, 908, 909, 909.1, 910, 910.1, 911, 912, 913, 914, 914, 916, 917, 918 and 918.1 relating to defining "City and County", "Person", "Tax Collector", "Taxpayer", smaller business exemption, financial information, duties of tax collector, interest and penalties, amount of penalties underpayments, jeopardy assessments, overpayments, redetermination, Board of Review, legal actions, misdemeanor, savings clause, exemption, successors or assignees, and failure to withhold; providing an effective date (January 1, 1998). Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-016.

[Gross Receipts Tax]

Ordinance amending Municipal Code, Part III, Article 12-B, Business Tax, by amending Sections 1002.15, 1004, 1004.1 through 1004.13, 1004.15, 1004.16, 1004.17, 1004.18, 1005, 1005.5, 1005.6, 1005.7, 1005.8, 1007, 1007.3, 1008, and 1009 relating to real estate development, fixed place of business, commission merchants, brokers, contractor, hotels, apartments, laundries, cleaners, money lending, personal property rental, other businesses, retail sales, storage, freight forwarding, utilities, transporting persons for hire, trucking, wholesale sales, architects, engineers, nonprofit garage corporations, tax rates, firearms sales, constitutional exemptions, enterprise zone credit, new jobs credit, summer youth employment credit, garment manufacturers credit, registration, fictitious business names, suspension, revocation of certificates payments, returns; by repealing Sections 1002.4, 1002.8, 1002.14, 1004.14, 1005.3-1, 1005.4, 1009.1, 1009.2, 1010, 1010.1, 1011, 1012, 1013, 1013.1, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026 and 1027 concerning "City and County" "Person", "Tax Collector", controller's report, small business exemption, other exemptions, financial information, penalties, deficiency determinations, jeopardy assessments, no return made, redetermination, penalties, amount of penalties, actions, remedies, duty of successors, failure to withhold, refunds, tax collector, Board of Review, records required, examination, payments by mail, confidentiality, severability, violations, licensing and effective dates; and providing an effective date (January 1, 1998). Supervisor Kaufman presented. Referred to Finance Committee.

File 127-97-017.

Referred to Board

[Proclaim, James M. Gerstley Day]

Resolution declaring November 11, 1997 "James M. Gerstley Day" in San Francisco in honor of his 90th birthday. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 004-97-046.

[Honor Coalition for Immigrant Rights]

Resolution honoring the Northern California Coalition for Immigrant Rights for advocating for the rights of all immigrants and for advancing the struggle for social and economic justice for all people and in recognition of the 10th Anniversary of the Northern California Coalition for Immigrant Rights, do hereby proclaim November 19, 1997 as "Immigrant Rights Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 006-97-197.

[Gordon Chin]

Resolution commending Chinatown Resource Center and the Chinese Community Housing Corporation on the occasion of their 20th Anniversary for their outstanding contributions in comprehensive neighborhood planning and resident empowerment and leadership and declaring November 18, 1997 to be "Gordon Chin Day" with all the requisite happy faces to appropriately honor this wonderful community activist. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 006-97-198.

[Commend, S. J. Hugh Allen]

Resolution commending the lifetime achievements of S. J. Hugh Allen on the occasion of his 90th birthday. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 006-97-199.

[Commend Holy Family Day Home]

Resolution commending the Holy Family Day Home for its 85 years of service to the children of San Francisco. Supervisors Yaki, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 006-97-200.

[Commend Nancy Pelosi]

Resolution commending Congresswoman Nancy Pelosi for her No on Fast Track support to protect workers who have lost and will lose jobs because of the North American Free Trade Agreement (NAFTA). Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 006-97-201.

[Commend Thomas I. Atkins]

Resolution commending Thomas I. Atkins for his sterling leadership and outstanding commitment to civil rights. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 006-97-202.

[Commend Alamo Elementary School]

Resolution commending Alamo Elementary School for providing outstanding educational services to the children of the City and County of San Francisco. Supervisors Yee, Yaki, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 006-97-203.

Referred to Committee

[Muni Fast Pass on BART]

Resolution recognizing the continuing importance of using the Muni fast pass on the Bay Area Rapid Transit system (BART) and urging the Public Transportation Commission to extend the agreement providing for its use. Supervisors Ammiano, Katz, Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-015.

[Community Use Bike Program Liability]

Resolution urging the State Legislature to sponsor and support legislation inspired by the Colorado Immunity Act, which limits liability for municipalities that allow community use bicycle programs to exist in their jurisdictions. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 012-97-033.

[Central Freeway Mitigation Measures]

Draft resolution urging that the implementation plan of Caltrans for the Central Freeway (Proposition H) include mitigation measures to be completed within six months of passage of this resolution. Supervisors Yaki, Kaufman, Leal, Newsom, Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 085-97-007.

[Central Freeway]

Resolution urging the San Francisco Transportation Authority to develop a northern access plan for the Central Freeway and a companion traffic safety plan and to assess the costs and benefits of constructing additional on and off-ramps to the Central Freeway South of Market Street. Supervisors Ammiano, Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 085-97-008.

Referred to Board

[Parks Conference]

Resolution supporting the Mayor in his decision to call for a one day Parks Conference to coordinate efforts among the various entities working individually to improve our park system. Supervisors Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 193-97-010.

Referred to Committee

[Piazzoni Murals]

Resolution urging the Asian Art Commission to protect and preserve the Piazzoni paintings currently located in the old Main Library by removing them from the building before major construction begins and urging the Asian Art Commission to conserve the paintings and explore options for their disposition. Supervisors Yaki, Teng, Yee, Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 197-97-001.02.

Requests for Hearings:

[Parks Conference Outcome]

Hearing to consider the information learned from the Mayor's one day Parks Conference in order to establish purviews and delineate projects among the various entities working on park related issues; to continue dialogue with input from the general public and to discuss how the Board may best assist efforts in improving our parks system. Supervisors Newsom, Medina presented. Referred to Housing and Neighborhood Services Committee.

File 193-97-010.01.

[Glass Ceiling Issues by Women in City Government Hearing to evaluate glass ceiling issues experienced by women in City government. Supervisor Teng presented. Referred to Health, Family and Environment Committee with request it be considered at the December 11, 1997 meeting.

File 254-97-001.01.

[Hate Violence/Public Safety on Muni]

Hearing to consider incidents of hate violence and public safety on the Municipal Railway system. Supervisors Medina, Katz, Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-004.01.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar November 17, 1997.

File 030-97-001.21.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-97-006. [Zoning Map Amendments - Waterfront] Ordinance amending Planning Code by amending Sectional Map No. 1 SU of the Zoning Map of the City and County of San Francisco to reclassify property located on the west side of the Embarcadero between Jefferson and Bay Streets, all of Assessor's Block 15, 16, 17 and 35, from the Northern Waterfront Special Use District Number 1 to Waterfront Special Use District Number 3, to add property on the west side of the Embarcadero between Harrison and Berry Streets, all of Assessor's Blocks 3770, 3771, 3790, 3792 and 3801, Lot 1 in Assessor's Block 3769, to Waterfront Special Use District Number 3, and to add property on the east side of the Embarcadero from Pier 26 to China Basin, a portion of Assessor's Block 9900, to Waterfront Special Use District Number 1, all as generally shown on the maps attached as Exhibits A and B; companion measure to Files 271-97-10, 271-97-10.1, 271-97-10.2, 115-97-15. (Planning Department) (Planning Commission Resolution No. 14470 dated 10/16/97, approving proposed Zoning Map.) Referred to Economic Development, Transportation and Technology Committee.

File 045-97-124. [Kennedy, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of plaintiffs Sarah Kennedy and Heather Piccone against the City and County of San Francisco by payment of \$137,581.69. (Superior Court No. 973-096). (City Attorney) Referred to Rules Committee.

File 045-97-125. [Humberto Garcia v. CCSF, et al.] Ordinance authorizing settlement of litigation of Humberto Garcia against the City and County of San Francisco by payment of \$139,000 plus waiver of San Francisco General Hospital lien of \$15,589.82. (Superior Court No. 968-854). (City Attorney) Referred to Rules Committee.

File 097-97-064. [Claims Deadlines] Ordinance amending Administrative Code by amending Section 10.20-3, to change the deadline for filing a claim for death or injury to the person or to personal property or growing crops from 100 days to six months. (Clerk of the Board) Referred to Rules Committee.

File 101-97-030. [Appropriation, Mayor's Office] Ordinance appropriating \$800,000, Mayor's Office, of Citizen's Option for Public Safety (COPS) Program Revenue, to implement part of the comprehensive juvenile justice action plan and to fund the start up costs of five pilot programs for fiscal year 1997-98. RO #97144. (Controller) Referred to Finance Committee.

File 101-97-031. [Appropriation, Mayor's Office] Ordinance appropriating and rescinding \$95,200 for salaries and fringe benefits and for the creation of two (2) positions for fiscal year 1997-98; companion measure to File 102-97-10. RO #97149. (Controller) Referred to Finance Committee.

File 101-97-032. [Appropriation, Public Utilities Commission] Ordinance appropriating \$1,648,000, Public Utilities Commission, from Clearwater Fund Balance to claims and judgments, PUC-Clearwater Program, for fiscal year 1997-98 and authorizing settlement of litigation of Walter and Ramona Yee against the City and County of San Francisco; companion measure to File 45-97-123. RO #97146. (Controller) Referred to Finance Committee.

File 101-97-033. [Appropriation, Mayor's Office] Ordinance appropriating \$100,000, Mayor's Office, from the General Fund Reserve-Youthline for the implementation of the Youthline Program for fiscal year 1997-98. RO #97148. (Controller) Referred to Finance Committee.

File 106-96-003.01. [Benefits for Court Employees] Ordinance amending Ordinance No. 289-96, which set schedules of compensation and other economic benefits for fiscal year 1997-97 for certain classifications of persons employed by the Municipal Court for the City and County of San Francisco, by adding certain retirement benefits for Court Reporters. (Municipal Court) Referred to Finance Committee.

File 115-97-015. [Planning Code Amendment - Waterfront] Ordinance amending Planning Code by amending Sections 102.14, 124, 161, 205.1, 227, 240, 240.1, 240.2, 240.3, 263, 263.2 and 263.3 to rename the Northern Waterfront Special Use Districts as the Waterfront Special Use Districts, to include piers within the definition of lots, to allow reductions in parking requirements within Waterfront Special Use Districts, to allow broader sponsorship for festivals and other celebrations eligible as temporary uses, to include waterborne commerce, navigation, fisheries and recreation uses as principal uses within M-1 and M-2 Districts, to create a Waterfront design review process and design advisory

committee, to allow uses permitted or conditionally permitted by Planning Code Section 201 as principal uses and conditional uses, respectively, within Waterfront Special Uses District Number 1 if the uses are included within the Waterfront Land Use Plan, to modify criteria for conditional use approvals in Waterfront Special Use District Numbers 1 and 3; companion measure to Files 271-97-10, 271-97-10.1, 271-97-10.2, 36-97-6. (Planning Department) (Planning Commission Resolution No. 14469 dated 10/16/97, approving proposed Planning Code amendments and recommending adoption.) Referred to Economic Development, Transportation and Technology Committee.

File 271-97-010.01. [Waterfront Amendments to the General Plan] Ordinance approving amendments to the Northeastern Waterfront Plan, Central Waterfront Plan, Commerce and Industry Element and Recreation and Open Space Element of the General Plan of the City and County of San Francisco (Planning File No. 96.301M); companion measure to Files 271-97-10, 271-97-10.2, 36-97-6, 115-97-15. (Planning Department) (Planning Commission Resolution No. 14467 dated 10/16/96, adopting amendments to the General Plan.) Referred to Economic Development, Transportation and Technology Committee.

File 271-97-010.02. [Waterfront Boundary Adjustments] Ordinance approving amendments to the boundaries of the Northeastern Waterfront Plan and Central Waterfront Plan of the General Plan of the City and County of San Francisco to eliminate overlapping areas with the Downtown Plan, Rincon Hill Plan, South of Market Plan and South Bayshore Plan (Planning File No. 96.310M); companion measure to Files 271-97-10, 271-97-10.1, 36-97-6, 115-97-15. (Planning Department) (Planning Commission Resolution No. 14468 dated 10/16/97, adopting the boundary changes to the Northeastern and Central Waterfront Plans.) (Exempt Status: General Rule Exclusion (State Guidelines, Section 1506(b)(3).)) Referred to Economic Development, Transportation and Technology Committee.

Resolutions Referred to Committee

File 018-97-009. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1402. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-010. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1402. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-009. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1402. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 038-97-016. [Gift Acceptance] Resolution accepting gift valued at \$400,000 from the Koshland Family for the renovation of Daniel E. Koshland, Sr. Park. (Recreation and Park Department) Referred to Housing and Neighborhood Services Committee.

File 115-97-004.01. [Negative Declaration, Scott St. Senior Housing] Resolution adopting Final Negative Declaration, finding and determining that the Scott Street Senior Housing Development and Special Use District on Assessor's Block 681, Lots 15, 18, 19, 22, 29A, 29B, 38 and 40, for the properties located at 1600-1608 Scott Street; 2158-2180 Post Street; 2251-2267 Sutter Street will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to Files 115-97-4, 115-97-5, 36-97-1, 36-97-2. (Planning Department) (Final Negative Declaration adopted and issued on 10/17/97.) Referred to Housing and Neighborhood Services Committee.

File 146-97-022. [Grant, California Endowment Community Health] Resolution authorizing the Department of Public Health to accept retroactively and expend a grant in the amount of \$109,538, from the California Endowment's Community Health Investment Program, to develop a plan for a comprehensive long-term care services delivery system. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-074. [Contract, DPT School Crossing Guard Program] Resolution authorizing the Department of Parking and Traffic to enter into a Memorandum of Understanding with the San Francisco Unified School District to implement a school crossing guard program and approving an indemnification clause contained in the Memorandum of Understanding. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 192-97-005. [Grant - State Funds] Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant of \$215,000 of fiscal year 1997-98 California Office of Traffic Safety (OTS) funds for a new staff position to oversee a Bicycle and Pedestrian Safety Program. (Department of Parking and Traffic) Referred to Economic Development, Transportation and Technology Committee.

File 192-97-005. [Grant - State Funds] Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant of \$215,000 of fiscal year 1997-98 California Office of Traffic Safety (OTS) funds for a new staff position to oversee a Bicycle and Pedestrian Safety Program. (Department of Parking and Traffic) Referred to Economic Development, Transportation and Technology Committee.

File 192-97-006. [Grant - Federal Funds] Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant in Federal funds in the amount of \$372,086 for two traffic and bicycle safety projects; providing for ratification of action previously taken. (Department of Parking and Traffic) Referred to Economic Development, Transportation and Technology Committee.

File 192-97-007. [Grant - Federal Funds] Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant in Federal funds in the amount of \$1,605,500 for two traffic and bicycle safety projects; putting contract costs on reserve; providing for ratification of action previously taken. (Department of Parking and Traffic) Referred to Economic Development, Transportation and Technology Committee.

File 242-97-001. [Federal Grant - Gender Equity Education Program] Resolution authorizing the Commission on the Status of Women to apply for a grant from the United States Department of Education Women's Educational Equity Act (WEEA) Program, for a gender equity education program implementation grant in an amount not to exceed \$400,000. (Commission on the Status of Women) Referred to Finance Committee with request it be considered at the November 12, 1997 meeting.

File 271-97-010. [CEQA Findings, Waterfront Land Use Plan] Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting findings, including a statement of overriding considerations, pursuant to the California Environmental Quality Act (CEQA) in connection with the General Plan text and boundary amendments, and amendments to the Planning Code and Zoning Map implementing the Waterfront Land Use Plan; companion measure to Files 271-97-10.1, 271-97-10.2, 36-97-6, 115-97-15. (Planning Department) Referred to Economic Development, Transportation and Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letters be sent to the Honorable Police Commission, Chief of Police and Sheriff concerning the use of pepper spray to urge reconsideration on the usage of pepper spray until conclusive studies have been completed detailing the effects of oleoresin capsicum on the human body.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Mildred Levin (Supervisor Kaufman)
Joan Williams (Supervisor Bierman)
Lou Montes (Supervisor Leal)
Jose Santana (By the entire Board)

File 2-97-43

Unanimously adopted by a rising vote.

Monday, November 10, 1997

ADJOURNMENT

There being no further business, the Board at the hour of 3:30 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 5, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, November 17, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 17, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Brown - 1.

Quorum present.

Supervisor Brown was noted present at 2:05 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Fire Department]

Ordinance appropriating \$2,000,000, Fire Department, (\$1,500,000 from the General Fund Reserve and \$500,000 from rescinding professional services-Consent Decree) for a Disability Monitoring Program, and for overtime, temporary salaries, and fringe benefits for fiscal year 1997-98. (Mayor)

File 101-97-23, Ordinance No. 432-97

(Fiscal Impact.)

Finally passed.

Adopted

[Contract Prop. J, Facility Security Services]

Resolution concurring with the Controller's certification that facility security services for the Public Transportation Commission can be practically performed by a private contractor at a lower cost than by City and County employees. (Supervisor Yaki)

File 25-97-16, Resolution No. 1043-97

Adopted.

[Parking Rate Changes, Sutter-Stockton Garage]

Resolution approving the amendment of parking rates at the Sutter-Stockton Garage. (Department of Parking and Traffic)

File 47-97-4, Resolution No. 1046-97

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Commission on the Status Women to apply for a grant from the United States Department of Education Women's Educational Equity Act (WEEA) Program for a gender equity education program implementation grant in an amount not to exceed \$400,000. (Supervisors Kaufman, Brown)

File 242-97-1, Resolution No. 1059-97

Adopted.

Recommendations of Economic Development, Transportation
and Technology Committee

Finally Passed

[Underground District]

Ordinance amending Ordinance No. 155-96 to redefine Underground District No. 322 in the Alpine Terrace/Museum Way District by adding certain property thereto. (Department of Public Works)

File 52-96-2.2, Ordinance No. 430-97

(District covering Alpine Terrace (all), Waller Street between the easterly boundary of Buena Vista Avenue East and the westerly boundary of Divisadero Street from Castro Street to Buena Vista Avenue East and Museum Way from a point 97 feet southeasterly of its southwesterly intersection with Roosevelt Way and continuing along Museum Way 655 feet to a point.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" Intersections. (Housing and Neighborhood Services Committee)

File 18-97-8, Resolution No. 1039-97

(Stop Signs - Establish

25th and Shotwell Streets, northeast and southwest corners, stopping 25th Street (makes this an all-way Stop);

26th and Shotwell Streets, northeast and southwest corners, stopping 26th Street (makes this an all-way Stop).

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Neighborhood Services Committee)

File 19-97-9, Resolution No. 1040-97

(10-Minute Parking Time Limit, 9:00 am to 9:30 am, 11:00 am to 12:30 pm, and 4:30 pm to 6:00 pm, Monday through Friday; General Metered Parking at other times - Establish

San Bruno Avenue, east side, from the north property line of #2565 San Bruno Avenue to 24 feet southerly (24-foot zone).

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9 am - 6 pm, Monday Through Saturday) - Rescind

Austin Street, north side, between Van Ness Avenue and Franklin Street (parking to be relocated to the south side).

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9 am - 6 pm, Monday Through Saturday) - Establish

Austin Street, south side, between Van Ness Avenue and Franklin Street (parking to be relocated to the south side).

No Parking anytime - Rescind

Austin Street, south side, between Van Ness Avenue and Franklin Street (parking to be relocated to the south side).

No Parking Anytime - Establish

Austin Street, north side, between Van Ness Avenue and Franklin Street (parking to be relocated to the south side).

Clement Street, north side, from 16th Avenue to 27 feet westerly (27-foot zone, eliminates 1 parking stall).

No Parking, 6 pm - 7 am (following day) - Establish
Fitch Street, east side, between Quesada and Revere Avenues.

Perpendicular (90-Degree Angle) Parking - Establish

Revere Avenue, north side, between Hawes and Griffith Streets;

Charter Oak Avenue, east side, from Industrial Street to 135 feet southerly (135-foot zone);

Charter Oak Avenue, east side, from a point 373 feet south of Industrial Street to the south terminus.

Tow-Away, No Parking, 7 am - 6pm, Every Day - Establish

Minna Street, north side, from 156 feet to 223 feet east of 3rd Street (67-foot zone).

Unmetered Motorcycle Parking - Establish

19th Street, west side, from approximately 320 feet to 432 feet north of Holloway Avenue (112-foot zone);

19th Street, north side, from 18.5 feet to 31.5 feet west of Linda Street (13-foot zone, accommodating 3 motorcycle stalls)
Clementina Street, south side, from 8th Street to 19.5 feet easterly (19.5-foot zone, accommodating 5 motorcycle stalls).

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and neighborhood Services Committee)

File 20-97-8, Resolution No. 1041-97

(Multiple Left Turn Lanes - Rescind

Bush Street, eastbound, at Sansome Street.

Multiple Right Turn Lanes - Rescind

Pine Street, westbound, at Sansome Street.

No Left Turns, Except Muni - Rescind

Potrero Avenue, southbound, at 16th Street.

No Left Turns - Establish

Potrero Avenue, southbound, at 17th Street.

One-Way Street - Rescind

Austin Street, westbound, between Van Ness Avenue and Franklin Street.

One-Way Street - Establish

Austin Street, eastbound, between Van Ness Avenue and Franklin Street.

Right Lane Must Turn Right - Rescind
Right Lane Must Turn Right, Except Buses - Establish

19th Avenue, southbound, at Holloway Avenue.

Tow-Away, No Stopping Anytime - Establish

Rankin Street, east side, from Evans Avenue to 40 feet southerly (40-foot zone);
Rankin Street, west side, from Evans Avenue to 60 feet northerly (60-foot zone).)

Adopted.

[Gift Acceptance]

Resolution accepting a gift from the Friends of Recreation and Parks for a Model 90 Bandit Brush Chipper (for turning brush and green waste into usable mulch which is a soil enhancement), valued at \$13,000 for Recreation and Park Department's Urban Forestry Program's Reforestation Program. (Recreation and Park Commission)

File 38-97-13, Resolution No. 1044-97

Adopted.

[Agreement, Sheriff/Dr. George Bach-Y-Rita]

Resolution authorizing the Sheriff's Department to enter into a professional services agreement with George Bach-Y-Rita, M.D., which provides for indemnification of Dr. Bach-Y-Rita from compensatory damages for negligent formation of his professional opinion as to psychological suitability of applicants for employment as Deputy Sheriffs in San Francisco County. (Sheriff)

File 172-97-69, Resolution No. 1054-97

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Coca Cola Company, v. CCSF]

Ordinance authorizing settlement of litigation of Coca Cola Company against the City and County and unlitigated business license and payroll tax claims of the Coca Cola Company by refunding \$185,000 plus interest on any delay in payment beyond December 9, 1997. (City Attorney)

File 45-97-113, Ordinance No.

(Superior Court No. 984-774.)

Passed for second reading.

[Robinson, et al. v. CCSF]

Ordinance authorizing settlement of litigation of Dale Robinson, Judy Erickson, Earl Gilman, Herb Weiner and Carole White against the City and County by payment of \$325,008.00. (City Attorney)

File 45-97-114, Ordinance No..

(Superior Court No. 939-555.)

Passed for second reading.

[John A. Breeding v. CCSF, et al.]

Ordinance authorizing settlement of litigation of John A. Breeding against the City and County by payment of \$90,000. (City Attorney)

File 45-97-115, Ordinance No.

(Superior Court No. 971-260.)

Passed for second reading.

[Lan Jun Lok, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Lan Jun Lok and Po Wah Lok against the City and County by payment of \$107,500. (City Attorney)

File 45-97-116, Ordinance No.

(Superior Court No. 973-000.)

Passed for second reading.

[Michael Prestridge, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Michael Prestridge against the City and County by payment of \$150,000. (City Attorney)

File 45-97-117, Ordinance No.

(Superior Court Consolidated Case Nos. 955-602 and 976-234.)

Passed for second reading.

[Vanessa Santarsiero v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Vanessa Santarsiero against the City and County by payment of \$27,500. (City Attorney)

File 45-97-118, Ordinance No.

(Superior Court No. 977-108.)

Passed for second reading.

[Ivan E. Gonzalez v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Ivan E. Gonzalez against the City and County by payment of \$26,500. (City Attorney)

File 45-97-119, Ordinance No.

(Superior Court No. 981-928.)

Passed for second reading.

[U.S.A. (Davis) v. CCSF]

Ordinance authorizing settlement of litigation of U.S.A. (Davis) v. City and County by payment of \$250,000. (City Attorney)

File 45-97-120, Ordinance No.

(U.S. District Court, Northern District of California, Consolidated Case Nos. C84-7089 MHP and C84-1100.)

Passed for second reading.

[Carolyn Mitchell v. CCSF]

Ordinance authorizing settlement of litigation in the matter of Carolyn Mitchell v. City and County by payment of \$95,000. (City Attorney)

File 45-97-121, Ordinance No.

(U.S. District Court No. C-96-3872 PJH.)

Passed for second reading.

[Dwight Alan Culdice, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Dwight Alan Culdice and Purisima Culdice v. City and County by payment of \$283,690. (City Attorney)

File 45-97-122, Ordinance No.

(Superior Court No. 959-417.)

Passed for second reading.

Adopted

[Property Tax Settlement]

Resolution authorizing settlement of property tax disputes with Stanislaus and San Joaquin Counties. (City Attorney)

File 46-97-11, Resolution No. 1045-97

(State Board of Equalization Numbers ARA 95-010 and 95-012.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Monday, November 17, 1997

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Contracting Authority, Chapters 12B/12C]

Ordinance amending Administrative Code to authorize the contracting officer to waive Chapters 12B and 12C upon the request of the potential contractor or on the contracting officer's own initiative where there are no qualified responsive bidders or potential contractors who could be certified as complying with the requirements of those chapters, for bulk purchasing contracts and where compliance with those chapters would result in the City's entering into a contract with an entity that was set up, or is being used, for the purpose of evading the intent of the applicable chapter, in each case subject to notification of such proposed waiver to the Director of the Human Rights Commission and the Board of Supervisors and the prior approval of the Director of the Human Rights Commission; to require contracting officers to report waivers of Chapters 12B and 12C to the Director of the Human Rights Commission and to require the Director of the Human Rights Commission to monitor the use of such waivers and to report to the Board of Supervisors regarding such use; to require a statement in an approving resolution before any Board committee having jurisdiction over a proposed contract as to whether the contract is subject to any 12B.5-1(d) or 12C.5-1(d) waiver; and to authorize the Board to transfer waiver authority from contracting officers to the Director of Human Rights Commission by resolution. (Supervisors Katz, Ammiano, Leal, Bierman, Medina, Yee, Teng)

File 97-97-21.2, Ordinance No. 431-97

(Amends Sections 12B.5-1 and 12C.5-1.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

Passed for Second Reading

[Affordable Housing Bond Program]

Ordinance amending Administrative Code, to describe the Affordable Housing and Homeownership Bond Program; companion measure to File 97-97-56.1. (Supervisors Brown, Bierman, Teng, Katz)

File 97-97-56, Ordinance No.

(Adds Chapter 81, Sections 81.1 through 81.7.)

(November 10, 1997 - Consideration continued to November 17, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Consideration Continued as Amended

[Affordable Housing Bond Program Regulations]

((Resolution approving regulations for the Affordable Housing and Homeownership Bond Program as amended)); companion measure to File 97-97-56.1. (Supervisors Brown, Bierman, Teng, Katz)

Resolution approving regulations, as amended, for the Affordable Housing and Homeownership Bond Program with additional conditions imposed by the Board of Supervisors.

File 97-97-56.1, Resolution No.

(November 10, 1997 - Consideration continued to November 17, 1997.)

Supervisor Brown, seconded by Supervisor Yee, moved an amendment of the whole entitled "Resolution approving regulations, as amended, for the Affordable Housing and Homeownership Bond Program with additional conditions imposed by the Board of Supervisors."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Supervisor Kaufman, seconded by Supervisor Yee, moved to continue consideration as amended to November 24, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for Second Reading

[Affordable Housing Bonds]

Ordinance establishing general terms and procedures for the issuance and sale of General Obligation Bonds (Affordable Housing), authorized by the voters of the City and County as Measure A in November 1996, to be issued in the aggregate principal amount of \$100,000,000; providing for the repayment thereof; and providing for the establishment of accounts related thereto; companion measure to File 170-97-10.1. (Supervisors Brown, Leal, Bierman, Katz, Teng)

File 170-97-10, Ordinance No.

(November 10, 1997 - Consideration continued to November 17, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Consideration Continued as Amended

[Bond Sale, Affordable Housing, \$20,000,000]

Resolution authorizing and directing the sale of not to exceed \$20,000,000 City and County Taxable General Obligation Bonds (Affordable Housing) Series 1998A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of bonds (and notice of sale) and notice of intention to sell bonds; directing the publication of notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; companion measure to File 170-97-10. (Supervisors Brown, Leal, Bierman, Katz, Teng)

File 170-97-10.1, Resolution No.

(November 10, 1997 - Consideration continued to November 17, 1997.)

Supervisor Brown, seconded by Supervisor Yee, moved an amendment of the whole bearing new title as follows:

"Resolution authorizing and directing the sale of not to exceed \$20,000,000 City and County Taxable General Obligation Bonds (Affordable Housing) Series 1998A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Supervisor Kaufman, seconded by Supervisor Yee, moved to continue consideration as amended to November 24, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendation of Rules Committee

Consideration Continued

[Public Record, Contract/Bid Raters]

Ordinance amending Administrative Code, to specify that the evaluation forms and names of persons serving as raters for any City contract selection or bidding procedures would be subject to public inspection after the evaluation process has been completed. (Supervisor Ammiano)

File 97-97-37, Ordinance No.

(Amends Section 67.24.)

(November 3, 1997 - Consideration continued to November 17, 1997.)

Supervisor Ammiano, seconded by Supervisor Leal, moved to continue consideration to December 8, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Prop J Contract, Shuttle Bus Services]

Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City and County employees, and approving the award of a San Francisco Airport Commission Contract for the operation of San Francisco International Airport's shuttle bus services for a ten (10) year period with five (5) additional one-year options. (Airport Commission)

File 25-97-15, Resolution No. 1042-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Treasure Island Lease]

Resolution approving and authorizing a lease with the United States Navy regarding the use of the Fire Training School, Hangars 2, 3, and 180, the Treasure Island Marina and Great Lawn and the Admiral Nimitz Mansion on Naval Station Treasure Island. (Mayor)

File 64-97-17, Resolution No. 1048-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[City Tow Contract]

Resolution ratifying and approving a contract between Pick Your Part Auto Wrecking and the City and County and the First Amendment to such agreement; retroactively authorizing the Executive Director of the Department of Parking and Traffic to execute an amendment to the contract to provide one stop service and further authorizing the Executive Director of the Department of Parking and Traffic and Director of Property to execute an agreement amending said contract by granting a license to Pick Your Part Auto Wrecking for the use of certain City property necessary to provide one stop service,

including a portion of the ground floor of 375-7th Street which is leased by City from the San Francisco Unified School District, a portion of the parking lot at 415-7th Street and a portion of the ground floor of the Hall of Justice Building at 850 Bryant Street, and urging the Mayor to urge the Department of Parking and Traffic to set aside and accumulate monthly fee payments for use in acquiring a permanent tow facility; subject to certain conditions. (Department of Parking and Traffic)

File 172-97-65, Resolution No. 1053-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Jurisdictional Transfer]

Resolution transferring jurisdiction from the Public Utilities Commission to the Public Transportation Commission real property on the southwest corner of Cesar Chavez and Indiana Streets, identified as Assessor's Block 4352, Lot 6, and Assessor's Block 4382, Lot 4, for a new diesel bus maintenance, storage, and operating facility; and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 199-97-2, Resolution No. 1057-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Brown - 1.

[Budget Analyst Contract]

Motion authorizing execution of an agreement between the Board of Supervisors and Stanton W. Jones and Associates/ Debra A. Newman/ Rodriques, Perez, Delgado & Company Certified Public Accountants/ Harvey M. Rose Accountancy Corporation Certified Public Accountants/ Mah & Louie Certified Public Accountants, a joint venture, to provide budget analyst services January 1, 1998 to December 31, 1999, with two two-year options to extend the agreement. (Clerk of the Board)

File 98-97-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading

[Zoning Map Amendment, Thirteenth Street/South Van Ness Avenue]

Ordinance amending the Zoning Map for property located within that portion of Assessor's Block 3531 which is bounded by Thirteenth Street, South Van Ness Avenue, Fourteenth Street, and Mission Street to change the Height and Bulk District classification from a 40-K to a 65-B Height and Bulk District, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Teng)

File 36-97-5, Ordinance No.

(October 16, 1997 - Planning Commission Resolution No. 14474, adopted approving amendment; Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated October 9, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Institutional Master Plan]

Ordinance amending Planning Code to allow any existing institution presently occupying a site of less than one acre and not anticipating any future expansion to more than one acre to file an abbreviated institutional master plan. (Supervisors Kaufman, Bierman, Newsom, Teng)

File 115-97-9, Ordinance No.

(Amends Section 304.5(c).)

(October 16, 1997 - Planning Commission Resolution No. 14475, adopted suggesting the legislation be amended; it was adopted by Committee;
Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated October 9, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Condominium Conversion Limitation]

Ordinance amending Subdivision Code, to extend the annual condominium conversion limitation for one additional year (expiring December 31, 1998). (Department of Public Works)

File 126-97-1, Ordinance No.

(Amends Section 1396.)

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Yaki, seconded by Supervisor Leal, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Excused: Supervisor Newsom - 1.

Adopted

[Speeding In School Zone Fine Increase]

Resolution urging the Mayor to direct the City's Lobbyist in Sacramento to urge the State Legislature to double the fine for speeding in school zones. (Supervisors Teng, Bierman, Katz)

File 12-97-32, Resolution No. 1037-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Funds, Criminal Justice Council]

Resolution authorizing retroactively the Mayor's Criminal Justice Council to accept and expend funds in the amount of \$5,407,983 from the State Board of Corrections under the Juvenile Crime Enforcement and Accountability Challenge Grant Program to implement a local action plan to provide a continuum of responses to juvenile crime and delinquency. (Mayor Willie L. Brown, Jr., Supervisors Teng, Newsom, Medina)

File 68-97-7, Resolution No. 1049-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[State Grant - Suppression of Drug Abuse in Schools]

Resolution authorizing the Chief of Police to apply for retroactively, accept, and expend funds in the amount of One Hundred Thousand Dollars (\$100,000) which includes indirect costs of Five Thousand Dollars (\$5,000) and audit costs of One Thousand Three Hundred Dollars (\$1,300) for a project designated "Suppression of Drug Abuse in the Schools". (Supervisors Teng, Newsom, Katz)

File 143-97-6, Resolution No. 1052-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[City-wide Pedestrian Safety Campaign]

Resolution urging the Department of Parking and Traffic to coordinate a city-wide pedestrian safety campaign with the Department of Public Health and the San Francisco Unified School District and help secure federal and state grants to fund the campaign. (Supervisors Teng, Bierman, Katz)

File 190-97-14, Resolution No. 1055-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Liquor License, Pier 19]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Nicholas Griffin for Fifty-Five Degrees at Pier 19, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-33, Resolution No. 1058-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Rules Committee

Passed for Second Reading

[City Seal on Harvey Milk Burial Marker]

Ordinance authorizing the official corporate seal of the City and County to be used on the burial site and marker of Harvey Milk, former Supervisor of the City and County of San Francisco. (Supervisors Katz, Bierman, Ammiano, Brown, Leal, Yaki, Medina, Teng)

File 197-97-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Leal, Yaki, Medina, Teng requested to be added as co-sponsors.

Adopted

[Reimbursement to Employees, Third Quarter, 1997]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged and/or stolen in the line of duty. (July-September 1997) (Finance Committee)

File 51-97-3, Resolution No. 1047-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for new two-year terms ending July 15, 1999. (Rules Committee)

File 92-97-32.3, Resolution No. 1061-97

(Allan Calder, succeeding Midge Wilson, Seat No. 23316;
Jane Winslow, succeeding Juanita G. Raven, Seat No. 23320;
Mauricio E. Vela, succeeding himself, Seat No. 23322.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing member to the Commission of Animal Control and Welfare for unexpired portion of two-year term ending April 30, 1998; making findings waiving residency requirement. (Rules Committee)

File 92-97-43, Resolution No. 1050-97

(Dr. Sheila Martin, succeeding Dr. Vic Spain, Seat No. 20707, Veterinarian, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Appointments]

Resolution appointing members to the Drug Abuse Advisory Board, terms expired, for new three-year terms ending October 1, 2000. (Rules Committee)

File 92-97-45, Resolution No. 1051-97

(Beverly J. Guardino, succeeding Wendy Goldberg, Seat No. 22114, public at large;
Ethel Piper, succeeding Tony Leone, Seat No 22115, public at large;
Randy S. Salenfriend, vice himself, Seat No. 22112, public at large.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

COMMITTEE REPORTS

Recommendations of Health, Family and Environment Committee

Passed for Second Reading

[Lead Paint-Exterior Work Practices]

Ordinance amending Building Code, establishing requirements governing activities that disturb or remove painted surfaces containing lead-based paint on the exterior of any residential, commercial, or public building, or steel structure. (Supervisor Bierman, Yaki, Teng, Brown)

File 114-97-2, Ordinance No.

(Adds new Chapter 36, Sections 3601 through 3611.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

In connection with the above item, Supervisors Yaki, Teng, Brown requested to be added as co-sponsors.

[Lead Contamination-Non-Housing Sites]

Ordinance amending Health Code, to establish requirements for the evaluation and control of lead hazards at vacant non-housing sites. (Supervisors Bierman, Yaki, Teng, Brown)

File 118-97-5, Ordinance No.

(Amends Section 1625.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Yaki, Teng, Brown requested to be added as co-sponsors.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Worldwind Dreamer, homeless issues;
David Ernet, Human Rights Commission certification of contractor guidelines/certification criteria;
Bill Butler, homeless issues, funding youth, supports Police Department.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Proclaim, James M. Gerstley Day]
Resolution declaring November 11, 1997 "James M. Gerstley Day" in San Francisco in honor of his 90th birthday. (Supervisor Yee)

File 4-97-46, Resolution No. 1029-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

[Honor Coalition for Immigrant Rights]
Resolution honoring the Northern California Coalition for Immigrant Rights for advocating for the rights of all immigrant and for advancing the struggle for social and economic justice for all people and in recognition of the 10th Anniversary of the Northern California Coalition for Immigrant Rights, do hereby proclaim November 19, 1997 as "Immigrant Rights Day" in San Francisco. (Supervisors Teng, Medina, Bierman, Brown, Katz)

File 6-97-197, Resolution No. 1030-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisor Medina, Bierman, Brown, Katz requested to be added as co-sponsors.

[Gordon Chin]
Resolution commending Chinatown Resource Center and the Chinese Community Housing Corporation on the occasion of their 20th Anniversary for their outstanding contributions in comprehensive neighborhood planning and resident empowerment and leadership and declaring November 18, 1997 to be "Gordon Chin Day" with all the requisite happy faces to appropriately honor this wonderful community activist. (Supervisors Teng, Kaufman, Medina, Bierman, Brown, Katz)

File 6-97-198, Resolution No. 1031-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisor Medina, Bierman, Brown, Katz requested to be added as co-sponsors.

[Commend S. J. Hugh Allen]
Resolution commending the lifetime achievements of S. J. Hugh Allen on the occasion of his 90th birthday. (Supervisors Yaki, Teng)

File 6-97-199, Resolution No. 1032-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Commend Holy Family Day Home]
Resolution commending the Holy Family Day Home for its 85 years of service to the children of San Francisco. (Supervisors Yaki, Kaufman, Medina, Teng, Bierman)

File 6-97-200, Resolution No. 1033-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Teng, Bierman requested to be added as co-sponsors.

[Commend Nancy Pelosi]
Resolution commending Congresswoman Nancy Pelosi for her No on Fast Track support to protect workers who have lost and will lose jobs because of the North American Free Trade Agreement (NAFTA). (Supervisors Amiano, Teng, Bierman, Katz)

File 6-97-201, Resolution No. 1034-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Katz requested to be added as co-sponsors.

[Commend Thomas I. Atkins]
Resolution commending Thomas I. Atkins for his sterling leadership and outstanding commitment to civil rights. (Supervisors Brown, Teng, Bierman)

File 6-97-202, Resolution No. 1035-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, requested to be added as co-sponsors.

[Commend Alamo Elementary School]
Resolution commending Alamo Elementary School for providing outstanding educational services to the children of the City and County of San Francisco. (Supervisors Yee, Yaki, Kaufman, Teng, Bierman, Brown, Katz)

File 6-97-203, Resolution No. 1036-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Brown, Katz requested to be added as co-sponsors.

[Parks Conference]
Resolution supporting the Mayor in his decision to call for a one day Parks Conference to coordinate efforts among the various entities working individually to improve our park system. (Supervisors Newsom, Medina, Teng, Bierman, Brown, Katz)

File 193-97-10, Resolution No. 1056-97

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Brown, Katz requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 30-97-1.21

(November 10, 1997 - Introduced in Board for consideration on November 17, 1997.)

Adopted.

[Equal Treatment to Immigrants]

Resolution urging President Clinton to consider equal treatment to all immigrants from El Salvador, Guatemala, and Haiti. (Supervisors Medina, Bierman, Katz)

File 13-97-38, Resolution No. 1038-97

(November 12, 1997 - Referred to Board for consideration on November 17, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Absent: Supervisor Newsom - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Street Closure Fee Waiver]

Ordinance waiving fees charged by the City and County for the closure of streets for the TET Festival, 1997. Supervisor Yee presented. Referred to Finance Committee.

File 042-97-001.

[Appropriation, Courthouse]

Ordinance appropriating \$1,140,840, Department of Public Works, from the General Fund Reserve for the new Civic Center Courthouse operations, maintenance and custodial services and the creation of ten positions; companion measure to File 102-97-11. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-035.

[Appropriation, Office of Citizen Complaints]

Ordinance appropriating \$230,180, Office of Citizen Complaints-Police Department (\$154,647 from General Reserve-Office of Citizen Complaints and \$75,533 from San Francisco International Airport Reserve Fund) for salaries, fringe benefits, rent, other current expenses, materials and supplies, equipments and services of other department and for the creation of three positions; companion measure to File 102-97-12. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-036.

[Salary Ordinance Amendment, Public Works]

Ordinance amending Annual Salary Ordinance 307-97, reflecting the creation of ten positions in the Department of Public Works; companion measure to File 101-97-35. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 102-97-011.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Annual Salary Ordinance 307-97 reflecting the creation of three new positions in the Police Department, Office of Citizen Complaints. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 102-97-012.

[Federal Funding, Community Development]

Resolution approving the amendment to the final proposal and action plan for San Francisco's Community Development Block Grant Program, Emergency Shelter Grant Program and Home Investment Partnership resulting from a two month extension of the existing program year (from February 1 to April 1). Supervisor Leal presented. Referred to Finance Committee with request it be considered at the November 19, 1997 meeting.

File 079-96-003.02.

Referred to Board

[Proclaim Western Hemisphere Workers Day]

Resolution welcoming the participants of the Western Hemisphere Workers Conference and declaring November 15, 1997 as "Western Hemisphere Workers Day in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 004-97-047.

[Commend Colin Powell]

Resolution commending General Colin Powell for his work with delegations from the President's Summit for America's Future all over the United States and urging the San Francisco business and non profit community to assist the local delegation in a commitment to the youth of this country by assisting with time and money on the five goals of the President's Summit for America's Future. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 006-97-204.

[Commend Duck Young Mun]

Resolution commending Grand Master Duck Young Mun for utilizing Eastern philosophy to better San Francisco's old and young. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 006-97-205.

[Commendation]

Resolution commending San Francisco Superintendent Waldemar Rojas and the African American Community Education Partnership Summit Committee for their outstanding commitment to the improved academic performance of African American children. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 006-97-206.

[State Subsidized Housing Evictions]

Resolution urging Governor Pete Wilson and State Legislators to not evict nearly 50,000 children and family tenants from their current homes (state subsidized housing) in early 1998 and to explore other options. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 012-97-034.

[Federal Legislation, S. 1350]

Resolution urging San Francisco's Federal and State elected officials to support San Francisco's Board of Supervisors' support of S. 1350 which would preserve State and local authority to regulate the placement, construction and modification of certain telecommunication facilities and other purposes. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 013-97-039.

Referred to Committee

[Evening Board Meeting]

Resolution scheduling the May 11, 1998 Board meeting of the San Francisco Board of Supervisors in the evening in order to encourage public participation. Supervisors Katz, Teng, Newsom, Ammiano, Bierman, Brown presented. Referred to Rules Committee.

File 054-97-010.

Referred to Board

[Vaccination Coverage, City Health Plan]

Resolution urging the Health Service Board to include coverage for vaccinations as part of the City health plan coverage for employees of the City and County of San Francisco. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 078-97-005.

[Tolling Agreement]

Resolution authorizing the City Attorney to enter into an agreement with Peter and Barbara Winkelstein to toll the statute of limitations on any claims that the Winkelsteins have asserted against the City and County as described in the government claim filed on or about June 10, 1996, to commence on November 17, 1997. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 172-97-075.

Referred to Committee

[Americans With Disabilities Act]

Resolution recognizing the 1990 Americans With Disabilities Act and San Francisco's lack of compliance to have an effective ADA employee policy. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 221-97-002.

Referred to Board

[Federal Naval Base Firefighters]

Resolution approving, pursuant to Government Code Section 53270, the permanent hiring of civilian firefighters terminated from their jobs by closure of Federal naval bases located within the City and County of San Francisco provided that they are permanent, long-term civilian firefighters and are residents of the City and County. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 244-97-005.02.

Referred to Committee

[Mortgage Credit Certificates]

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of mortgage credit certificates (home finance program). Supervisor Brown presented. Referred to Finance Committee.

File 276-97-001.

Requests for Hearings:

[MUNI Hiring]

Hearing to consider the progress MUNI has made on hiring the additional personnel as approved by the Finance Committee in July 1997. Supervisor Leal presented. Referred to Finance Committee.

File 007-97-016.

[Mental Health System]

Hearing to discuss the status of the mental health system in San Francisco such as availability and types of services offered, accessibility to these services and eligibility requirements for services. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 030-97-022.

[Homeless Youth]

Hearing to consider the issue of homeless youths in Golden Gate Park and to develop an action plan to address the unique needs of homeless youth and coordinate services. Supervisor Katz presented. Referred to Housing and Neighborhood Services Committee.

File 083-97-002.

[Appointment]

Hearing to consider the appointment of a member of the Board of Supervisors to the Executive Committee of the Association of Bay Area Governments succeeding Supervisor Susan Leal and an alternate member succeeding Supervisor Amos Brown. Clerk of the Board. Referred to Rules Committee with request it be considered at the December 9, 1997 meeting.

File 092-97-052.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 030-97-001.22.

[Management Audit Follow-up, Tax Collector]

Motion directing the Budget Analyst, upon completion of its current audits, to give priority to conducting a follow-up performance review of the Tax Collector's Office. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar November 24, 1997.

File 165-97-005.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-126. [Jeff Edwards, v. CCSF, et al.] Ordinance authorizing settlement of litigation of Jeff Edwards v. City and County of San Francisco, et al., by payment of \$110,000. (United States District Court No. C96-2263 PJH). (City Attorney) Referred to Rules Committee.

File 097-97-065. [San Francisco Refunding Revenue Bonds] Ordinance amending Administrative Code by amending Section 55.1 and adding a new Section 55.06, providing for the debt service savings test for issuance of Refunding Revenue Bonds without voter approval. (Mayor) Referred to Finance Committee.

File 102-97-010. [Salary Ordinance Amendment, Mayor's Office] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Mayor's Office, reflecting the creation of two (2) positions (Class 1363 Special Assistant IV and 1369 Special Assistant X); companion measure to File 101-97-31. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 048-97-076. [Settlement of Claim, Pacific Gas & Electric Co.] Resolution approving the settlement of the unlitigated claim of Pacific Gas & Electric Company by payment of \$80,000. (City Attorney) Referred to Rules Committee.

File 048-97-077. [Settlement of Claim, Reviewco] Resolution approving the settlement of unlitigated claim of Reviewco by payment of \$551,000. (City Attorney) Referred to Rules Committee.

File 084-97-006. [Property Acquisition, 20 Lessing Street] Resolution approving and authorizing an agreement for purchase and sale of real property in the Excelsior-Cayuga District generally described as 20 Lessing Street (Lot 1 in Assessor's Block 7160) for open space purposes and adopting findings pursuant to Planning Code Section 101.1. (Purchase price \$80,000, plus title insurance and escrow fees not to exceed \$3,000). (Real Estate Department) Referred to Finance Committee.

File 159-97-001. [Delinquent Transit Impact Development Fee] Resolution confirming report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Section 38.11, et seq. of the San Francisco Administrative Code. (Public Transportation Commission) Scheduled for public hearing before Board on December 8, 1997, at 3:00 p.m.

File 166-97-003. [Legal Action for Medical Services] Resolution authorizing Tax Collector attorney to institute legal proceedings for the recovery of value of services in the amount of \$77,447.23, at hospital facilities operated by the Department of Public Health. (Treasurer/Tax Collector). Referred to Finance Committee.

File 166-97-004. [Delinquent Tax Assessment, Five Star Parking] Resolution authorizing the Tax Collector to collect the amount of \$78,195.79 from Five Star Parking Partnership, in full satisfaction of the personal property taxes listed in Schedule 1 and directing the Controller to cancel all amounts of taxes, penalties and fees assessed but not collected; and authorizing the Tax Collector to collect the amount of \$176,935.98 plus interest at ten percent (10%) per annum payable in monthly installments in full satisfaction of the personal property taxes listed in Schedule 2, and directing the Controller to cancel all tax amounts, delinquency penalties, and fees assessed but not collected. (Treasurer/Tax Collector) Referred to Finance Committee.

File 172-97-072. [Diagnostic Treatment Services, Juvenile Ward] Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of actions previously taken. (Juvenile Probation) Referred to Health, Family and Environment Committee.

File 172-97-073. [Emergency Custody, Juvenile Ward of the Court] Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for emergency custody of a juvenile ward of the court from the County of San Francisco; providing for ratification of actions previously taken. (Juvenile Probation) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that letter of inquiry be sent to Director, Health Service System, to determine why the health plan coverage for City and County of San Francisco does not include vaccination coverage.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Geraldine Johnson (By the entire Board)
Cecil Poole (By the entire Board)
Susan Goldsmith Katz (Supervisor Kaufman)
Aaron J. Schlegal (Supervisors Newsom, Kaufman)

File 2-97-45

Unanimously adopted by a rising vote.

Monday, November 17, 1997

ADJOURNMENT

There being no further business, the Board at the hour of 3:07 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 12, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, November 24, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 24, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Bierman, moved that the Journal of Proceedings for Monday, September 29, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng, Yaki, Yee - 11.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Katz requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Rules Committee

Consideration Continued

[City Seal on Harvey Milk Burial Marker]

Ordinance authorizing the official corporate seal of the City and County to be used on the burial site and marker of Harvey Milk, former Supervisor of the City and County of San Francisco. (Supervisors Katz, Bierman, Ammiano, Brown, Leal, Yaki, Medina, Teng)

File 197-97-2, Ordinance No.

Supervisor Katz, seconded by Supervisor Teng, moved to continue consideration to December 8, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Severed from Consent Calendar

Supervisor Bierman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Institutional Master Plan]

Ordinance amending Planning Code to allow any existing institution presently occupying a site of less than one acre and not anticipating any future expansion to more than one acre to file an abbreviated institutional master plan. (Supervisors Kaufman, Newsom, Teng)

File 115-97-9, Ordinance No. 447-97

(Amends Section 304.5(c).)

Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated October 9, 1997.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Bierman - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendation of Finance Committee

Adopted

[CHIP Program Funds for Fiscal Year 1997-98]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) Funds for Fiscal Year 1997-98 and that the President, duly authorized representative of the Board of Supervisors, can certify the County Description of Proposed Expenditure of CHIP Funds for Fiscal Year 1997-98. (Department of Public Health)

File 30-97-21, Resolution No. 1069-97

Adopted.

Recommendations of Rules Committee

Finally Passed

[Coca Cola Company, v. CCSF]

Ordinance authorizing settlement of litigation of Coca Cola Company against the City and County and unlitigated business license and payroll tax claims of the Coca Cola Company by refunding \$185,000 plus interest on any delay in payment beyond December 9, 1997. (City Attorney)

File 45-97-113, Ordinance No. 433-97

(Superior Court No. 984-774.)

Finally passed.

[Robinson, et al. v. CCSF]

Ordinance authorizing settlement of litigation of Dale Robinson, Judy Erickson, Earl Gilman, Herb Weiner and Carole White against the City and County by payment of \$325,008.00. (City Attorney)

File 45-97-114, Ordinance No. 435-97

(Superior Court No. 939-555.)

Finally passed.

[John A. Breeding v. CCSF, et al.]

Ordinance authorizing settlement of litigation of John A. Breeding against the City and County by payment of \$90,000. (City Attorney)

File 45-97-115, Ordinance No. 437-97

(Superior Court No. 971-260.)

Finally passed.

[Lan Jun Lok, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Lan Jun Lok and Po Wah Lok against the City and County by payment of \$107,500. (City Attorney)

File 45-97-116, Ordinance No. 438-97

(Superior Court No. 973-000.)

Finally passed.

[Michael Prestridge, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Michael Prestridge against the City and County by payment of \$150,000. (City Attorney)

File 45-97-117, Ordinance No. 439-97

(Superior Court Consolidated Case Nos. 955-602 and 976-234.)

Finally passed.

[Vanessa Santarsiero v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Vanessa Santarsiero against the City and County by payment of \$27,500. (City Attorney)

File 45-97-118, Ordinance No. 440-97

(Superior Court No. 977-108.)

Finally passed.

[Ivan E. Gonzalez v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Ivan E. Gonzalez against the City and County by payment of \$26,500. (City Attorney)

File 45-97-119, Ordinance No. 441-97

(Superior Court No. 981-928.)

Finally passed.

[U.S.A. (Davis) v. CCSF]

Ordinance authorizing settlement of litigation of U.S.A. (Davis) v. City and County by payment of \$250,000. (City Attorney)

File 45-97-120, Ordinance No. 442-97

(U.S. District Court, Northern District of California, Consolidated Case Nos. C84-7089 MHP and C84-1100.)

Finally passed.

[Carolyn Mitchell v. CCSF]

Ordinance authorizing settlement of litigation in the matter of Carolyn Mitchell v. City and County by payment of \$95,000. (City Attorney)

File 45-97-121, Ordinance No. 443-97

(U.S. District Court No. C-96-3872 PJH.)

Finally passed.

[Dwight Alan Culdice, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Dwight Alan Culdice and Purisima Culdice v. City and County by payment of \$283,690. (City Attorney)

File 45-97-122, Ordinance No. 444-97

(Superior Court No. 959-417.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Zoning Map Amendment, Thirteenth Street/South Van Ness Avenue]
Ordinance amending the Zoning Map for property located within that portion of Assessor's Block 3531 which is bounded by Thirteenth Street, South Van Ness Avenue, Fourteenth Street, and Mission Street to change the Height and Bulk District classification from a 40-K to a 65-B Height and Bulk District, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Teng)

File 36-97-5, Ordinance No. 436-97

(October 16, 1997 - Planning Commission Resolution No. 14474, adopted approving amendment; Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated October 9, 1997.)

Finally passed.

Recommendations of Health, Family and Environment Committee

Adopted

[Gift Acceptance]

Resolution authorizing the Department of Public Health to accept a gift valued at \$62,000, from the California Healthcare Foundation for data analysis services in connection with the work of the Mayor's Blue Ribbon Committee on Universal Health Care; companion measure to File 172-97-67. (Department of Public Health)

File 38-97-14, Resolution No. 1070-97

Adopted.

[Release Data Agreement]

Resolution authorizing the Department of Public Health to enter into an agreement with Kaiser Foundation Health Plan, Inc. and PM Squared, Inc. for the disclosure of data in connection with the work of the Mayor's Blue Ribbon Committee on Universal Health Care, including confidentiality, indemnification and arbitration provisions; companion measure to File 38-97-14. (Department of Public Health)

File 172-97-67, Resolution No. 1080-97

Adopted.

[Used Oil Recycling Grant]

Resolution authorizing the City Administrator to apply for up to \$500,000 in Oil Recycling Grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (City Administrator)

File 133-97-7, Resolution No. 1075-97

Adopted.

[Private Grant, Economic Opportunity Council]

Resolution authorizing the Department of Public Health, Division of Mental Health, to apply for retroactively, accept and expend a grant in the amount of \$28,185, which includes no indirect costs, from the Economic Opportunity Council (EOC), to support a substance abuse prevention and early intervention project at Head Start Programs; providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health)

File 146-97-21, Resolution No. 1076-97

Adopted.

[State Child Care Contract]

Resolution authorizing retroactively the execution of a contract between the City and County and the State of California Department of Education in the amount of \$137,618 for participation by the City and County in the State's Child Care and Development Program for fiscal year 1997-1998. (Department of Human Services)

File 172-97-70, Resolution No. 1082-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Affordable Housing Bond Program]

Ordinance amending Administrative Code, to describe the Affordable Housing and Homeownership Bond Program; companion measure to File 97-97-56.1. (Supervisors Brown, Bierman, Teng, Katz)

File 97-97-56, Ordinance No. 445-97

(Adds Chapter 81, Sections 81.1 through 81.7.)

(November 10, 1997 - Consideration continued to November 17, 1997.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Adopted as Amended

[Affordable Housing Bond Program Regulations]

Resolution approving regulations(, as amended,) for the Affordable Housing and Homeownership Bond Program with additional conditions imposed by the Board of Supervisors; companion measure to File 97-97-56. (Supervisors Brown, Bierman, Teng, Katz)

File 97-97-56.1, Resolution No. 1074-97

(November 17, 1997 - Consideration continued to November 24, 1997.)

Supervisor Brown, seconded by Supervisor Teng, moved an amendment of the whole entitled, "Resolution approving regulations for the Affordable Housing and Homeownership Bond Program with additional conditions imposed by the Board of Supervisors."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Finally Passed

[Affordable Housing Bonds]

Ordinance establishing general terms and procedures for the issuance and sale of General Obligation Bonds (Affordable Housing), authorized by the voters of the City and County as Measure A in November 1996, to be issued in the aggregate principal amount of \$100,000,000; providing for the repayment thereof; and providing for the establishment of accounts related thereto; companion measure to File 170-97-10.1. (Supervisors Brown, Leal, Bierman, Katz, Teng)

File 170-97-10, Ordinance No. 449-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Adopted

[Bond Sale, Affordable Housing, \$20,000,000]

Resolution authorizing and directing the sale of not to exceed \$20,000,000 City and County Taxable General Obligation Bonds (Affordable Housing) Series 1998A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for establishment of accounts related thereto; approving the forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of notice of sale and notice of intention to sell bonds; approving the form and execution of official statement relating thereto; approving form of continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously

taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; companion measure to File 170-97-10. (Supervisors Brown, Leal, Bierman, Katz, Teng)

File 170-97-10.1, Resolution No. 1079-97

(November 17, 1997 - Consideration continued to November 24, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Housing and Neighborhood Services Committee

(Supervisor Newsom excused from voting.)
(See Journal of Proceedings of November 17, 1997.)

Finally Passed

[Condominium Conversion Limitation]

Ordinance amending Subdivision Code, to extend the annual condominium conversion limitation for one additional year (expiring December 31, 1998). (Department of Public Works)

File 126-97-1, Ordinance No. 434-97

(Amends Section 1396.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 10.

Excused: Supervisor Newsom - 1.

Recommendations of Health, Family and Environment Committee

Finally Passed

[Lead Paint-Exterior Work Practices]

Ordinance amending Building Code, establishing requirements governing activities that disturb or remove painted surfaces containing lead-based paint on the exterior of any residential, commercial, or public building, or steel structure. (Supervisors Bierman, Brown, Yaki, Teng, Katz, Newsom)

File 114-97-2, Ordinance No. 446-97

(Adds new Chapter 36; Sections 3601 through 3611.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Lead Contamination-Non-Housing Sites]

Ordinance amending Health Code, to establish requirements for the evaluation and control of lead hazards at vacant non-housing sites. (Supervisors Bierman, Brown, Yaki, Teng, Katz, Newsom)

File 118-97-5, Ordinance No. 448-97

(Amends Section 1625.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Hetch Hetchy Water and Power Department]

Ordinance appropriating \$242,397, Hetch Hetchy Water and Power Department, of Hetch Hetchy Power Revenues for the creation of a new Retail Power Accounts Program and for the creation of four (4) new positions for fiscal year 1997-98; companion measure to File 102-97-7. (Controller)

File 101-97-25, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ordinance Amendment, Hetch Hetchy]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Hetch Hetchy Water and Power Department, reflecting the creation of four (4) new positions (Class 1063 IS Senior Programmer, 1366 Special Assistant VII, 1368 Special Assistant IX, and 5633 Water & Power Specialist); companion measure to File 101-97-25. (Department of Human Resources)

File 102-97-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appropriation, Department of Public Works]

Ordinance appropriating \$755,000, Department of Public Works, from the General Fund Reserve (\$695,000 from reserve for Third Street cleanup and \$60,000 from reserve for Tenderloin extra cleaning services) to fund salaries, supplies and equipment for cleaning services in the Bayview and Tenderloin areas and the creation of one (1) position for fiscal year 1997-98; companion measure to File 102-97-8. (Controller)

File 101-97-27, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ordinance Amendment, Dept. of Public Works]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Public Works, reflecting the creation of one (1) position (Class 8280 Environmental Control Officer); companion measure to File 101-97-27. (Department of Human Resources)

File 102-97-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appropriation, Sheriff, Litigation]

Ordinance appropriating \$8,750,000, Sheriff, from General Fund Litigation Reserve Balance to claims and judgments and authorizing settlement of litigation between Stolte, Inc., a division of Green International on behalf of itself and its sub-contractors and the City and County for \$8,750,000. (Supervisor Kaufman)

File 101-97-34, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Setting Schedules of Compensation]

Ordinance amending Ordinance No. 275-97 setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior and Municipal Courts for the City and County. (City Attorney)

File 106-97-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Amendment to MOU, Local 911]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County for Bargaining Units P-1; P-2A and P-2B to effective July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-96-30.2, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Adopted

[Emergency Repair, Woodland Avenue Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Woodland Avenue from Willard Street to 260 feet northeasterly - \$81,142.00 (Public Utilities Commission)

File 28-97-9, Resolution No. 1068-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Recommendations of Economic Development, Transportation
and Technology Committee

Adopted

[Funds, Treasure Island Project Office]

Resolution authorizing the Mayor's Treasure Island Project Office, Department of Business and Economic Development to accept and expend grant funds of approximately \$215,000 from the California Trade and Commerce Agency's defense adjustment matching grant program and authorizing the Mayor or Mayor's designee to execute any documents necessary to receive these funds; placing \$55,700 on reserve. (Mayor Willie L. Brown, Jr.)

File 68-97-5.1, Resolution No. 1071-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

(Supervisor Katz dissenting in Committee.)

[Central Freeway Approval]

Resolution approving Caltrans Alternative 1B for restoring the Central Freeway and urging Caltrans to proceed with construction. (Supervisors Yee, Teng, Medina, Kaufman, Newsom, Brown)

File 85-97-6, Resolution No. 1073-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Bierman - 1.

[Former Octavia St. Easement-Vacation and Sale]

Resolution declaring intention of the Board of Supervisors to vacate and sell a portion of a sewer and public utility easement located in the former Octavia Street between Post Street and Geary Boulevard, setting January 5, 1998 as the hearing date for all persons interested in the proposed vacation and sale, making findings of General Plan conformance and consistency with Planning Code Section 101.1, and authorizing other actions in connection therewith. (Real Estate Department)

File 164-97-4, Resolution No. 1078-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Health, Family and Environment Committee

Passed for Second Reading

[Extending MBE/WBE/LBE Ordinance - III]

Ordinance amending Administrative Code to set forth findings supporting a three month extension of the MBE/WBE/LBE Ordinance - III and providing for three month extension. (Supervisors Katz, Bierman, Teng, Leal)

File 284-97-1.1, Ordinance No.

(Adds Section 12D.2-3; amends Sections 12D.9(A), 12D.10(A), and 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Leal requested to be added as co-sponsors.

Adopted

[Grant, California Endowment Community Health]

Resolution authorizing the Department of Public Health to accept retroactively and expend a grant in the amount of \$109,538, from the California Endowment's Community Health Investment Program, to develop a plan for a comprehensive long-term care services delivery system; placing \$24,250 on reserve and ratifying actions previously taken. (Department of Public Health)

File 146-97-22, Resolution No. 1077-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Contract, CCSF - State Dept. of Social Services]

Resolution authorizing retroactively the execution of a contract between the City and County and the State of California Department of Social Services in the amount of \$20,000 for participation by the City and County in media recruitment of foster and adoptive homes for the fiscal years 1996-1997, 1997-1998 and 1998-1999; contingent upon certification by Human Rights Commission under the Equal Benefits Ordinance. (Department of Human Services)

File 172-97-68, Resolution No. 1081-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing appealing decision of the Planning Commission by its Motion 14462 dated September 25, 1997, approving Conditional Use Application No. 97.591CR, for conditional use authorization to install six antennas on a new light pole and a base transceiver station on the rooftop parking level of the existing Marina off-street parking garage as part of a wireless telecommunications network, in an NC-2 (Small Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets; Lots 009, 010, 011, 012, and 013, in Assessor's Block 490.

File 37-97-7

(Appeal filed October 27, 1997.)

(Categorically exempt from the environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code.)

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors (401 Van Ness Avenue, Room 308; San Francisco, CA 94102.) at, or prior to, the public hearing.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Madeline Camisa; Gloria Fontanello; Glen Greenberg; Joan Girrardot; John Bardis; Patricia Vaughey.

Respondents:

Larry McDonald; Kelly Pepper; Bill Rutland; Ann; Lynne Juarez; Parent; Christina Stout.

A rebuttal period was allowed.

The President then declared the hearing closed.

(Only one of the following two motions should be adopted.)

Adopted

[Zoning Appeal, 3224-3252 Pierce Street]

Motion approving decision of the Planning Commission by its Motion No. 14462, approving Conditional Use Application No. 97.591CR, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-7.1

Supervisor Newsom Excused from Voting

The Clerk announced that Supervisor Newsom requested to be excused from voting because of a possible conflict of interest.

Supervisor Medina, seconded by Supervisor Yaki, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

The roll was then called on the pending motion and it was adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Medina - 2.

Excused: Supervisor Newsom - 1.

Tabled

[Zoning Appeal, 3224-3252 Pierce Street]

Motion disapproving decision of the Planning Commission by its Motion No. 14462, approving Conditional Use Application No. 97.591CR, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-7.2

Supervisor Yaki, seconded by Supervisor Katz, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 97.591CR, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets, for action by the Board at its next meeting.

File 37-97-7.3

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, ethics and city lobbyists, commission appointments;
Jerry Debruze, housing for homeless;
John, homeless;
Mark Schwartz, homeless;
Phil Butler, treatment services to homeless youth;
Rodney, gay/lesbian center, funding investigation;
Male speaker, homeless;
Greg Stevens, official misconduct complaint;
Worldwind Dreamer, corruption within democratic party local and national, homeless.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

The President resumed the Chair.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) Janet C. Mangini v. R.J. Reynolds Tobacco Co., Case No. 939359; (2) People of State of California v. Philip Morris, et al, Case No. 980864, as permitted by Government Code Section 54956.9(a).

Supervisor Medina, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recess

The Board recessed at the hour of 4:31 p.m. to convene in closed session.

Reconvening of the Board

The Board reconvened at 4:55 p.m.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Noted absent:

Supervisors Brown, Katz - 2.

Quorum present.

Supervisor Brown was noted present at 4:58 p.m.

Supervisor Katz was noted present at 5:01 p.m.

Report on Closed Session

Deputy City Attorney Ted Lahey reported that the Board of Supervisors met in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigations as follows: (1) Janet C. Mangini v. R.J. Reynolds Tobacco Co., Case No. 939359; (2) People of State of California v. Philip Morris, et al, Case No. 980864, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was requested or made by the Board.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Katz - 2.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Commend Colin Powell]

Resolution commending General Colin Powell for his work with delegations from the President's Summit for America's Future all over the United States and urging the San Francisco business and non profit community to assist the local delegation in a commitment to the youth of this country by assisting with time and money on the five goals of the President's Summit for America's Future. (Supervisors Newsom, Brown)

File 6-97-204, Resolution No.

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

At the request of Supervisor Ammiano, referred to Health, Family, and Environment Committee.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Western Hemisphere Workers Day]

Resolution welcoming the participants of the Western Hemisphere Workers Conference and declaring November 15, 1997 as "Western Hemisphere Workers Day in San Francisco. (Supervisors Teng, Medina, Katz, Brown)

File 4-97-47, Resolution No. 1062-97

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Katz, Brown requested to be added as co-sponsors.

[Commend Duck Young Mun]

Resolution commending Grand Master Duck Young Mun for utilizing Eastern philosophy to better San Francisco's old and young. (Supervisors Ammiano, Kaufman, Bierman, Katz)

File 6-97-205, Resolution No. 1063-97

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commendation]

Resolution commending San Francisco Superintendent Waldemar Rojas and the African American Community Education Partnership Summit Committee for their outstanding commitment to the improved academic performance of African American children. (Supervisors Brown, Katz)

File 6-97-206, Resolution No. 1064-97

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[State Subsidized Housing Evictions]

Resolution urging Governor Pete Wilson and State Legislators to not evict nearly 50,000 children and family tenants from their current homes (state subsidized housing) in early 1998 and to explore other options. (Supervisors Ammiano, Medina, Bierman, Katz, Brown)

File 12-97-34, Resolution No. 1066-97

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Bierman, Katz, Brown requested to be added as co-sponsors.

[Federal Legislation, S. 1350]

Resolution urging San Francisco's Federal and State elected officials to support San Francisco's Board of Supervisors' support of S. 1350 which would preserve State and local authority to regulate the placement, construction and modification of certain telecommunication facilities and other purposes. (Supervisors Bierman, Katz, Brown)

File 13-97-39, Resolution No. 1067-97

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Brown requested to be added as co-sponsors.

[Vaccination Coverage, City Health Plan]

Resolution urging the Health Service Board to include coverage for vaccinations as part of the City health plan coverage for employees of the City and County of San Francisco. (Supervisors Katz, Bierman, Brown)

File 78-97-5, Resolution No. 1072-97

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown requested to be added as co-sponsors.

[Tolling Agreement]

Resolution authorizing the City Attorney to enter into an agreement with Peter and Barbara Winkelstein to toll the statute of limitations on any claims that the Winkelsteins have asserted against the City and County as described in the government claim filed on or about June 10, 1996, to commence on November 17, 1997. (Supervisors Ammiano, Bierman, Brown)

File 172-97-75, Resolution No. 1083-97

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown requested to be added as co-sponsors.

[Federal Naval Base Firefighters]

Resolution approving, pursuant to Government Code Section 53270, the permanent hiring of civilian firefighters terminated from their jobs by closure of Federal naval bases located within the City and County of San Francisco provided that they are permanent, long-term civilian firefighters and are residents of the City and County. (Supervisor Yaki)

File 244-97-5.2, Resolution No. 1084-97

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 30-97-1.22

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

[Management Audit Follow-up, Tax Collector]

Motion directing the Budget Analyst, upon completion of its current audits, to give priority to conducting a follow-up performance review of the Tax Collector's Office. (Supervisors Leal, Medina, Katz)

File 165-97-5

(November 17, 1997 - Introduced in Board for consideration on November 24, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Katz requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Imperative Resolution]

Adopted

[Commend Dr. Effie Pow Yew Chow]

Resolution commending Dr. Effie Pow Yew Chow and proclaiming November 22, 1997 as "Dr. Effie Pow Yew Chow Day."

File 006-97-207, Resolution No. 1065-97

Supervisor Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Street Acceptance]

Ordinance accepting for purposes of maintenance the streets designated herein, subject to specified limitations, pursuant to California Streets and Highways Code Section 1806 and Department of Public Works Order No. 170,657. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 009-97-001.01.

[Accepted Streets Official Record]

Ordinance accepting as the official record of accepted streets in the City and County of San Francisco the publication entitled "City Maintained Streets," dated October 31, 1997, and as set forth in Department of Public Works Order No. 170,718, dated October 31, 1997. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 009-97-003.

[Cash Difference and Overage Funds]

Ordinance amending Administrative Code Section 10.88 concerning Cash Difference and Overage Funds, to add the Public Utilities Commission Customer Service Bureau to the list of departments to which Section 10.88 applies. Mayor Willie L. Brown presented. Referred to Finance Committee.

File 097-97-066.

[Capital Improvement Advisory Committee]

Ordinance amending Administrative Code Sections 3.20, 3.21 and 3.22 to allow the Mayor, instead of the Capital Improvement Advisory Committee (CIAC) to appoint the members of the CIAC, to provide that the City Administrator is a non-voting ex-officio member of the committee, to direct the CIAC to provide any information necessary for the City Administrator to report to the Board of Supervisors on all long-term financial proposals and capital improvement projects, and to provide that the CIAC review all capital improvement projects and long-term financing proposals and provide information on such projects to the City Administrator. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 097-97-067.

[Annual Appropriation Ordinance Amendment]

Ordinance amending the Annual Appropriation Ordinance (Ordinance No. 306-97) to prohibit the Art Commission from accepting or expending funds for the placement of works of art or other structures in Golden Gate Park without approval of the Board of Supervisors. Supervisor Yaki presented. Referred to Finance Committee.

File 101-97-037.

[Senior Eviction Moratorium on Owner Move-Ins]

Substitute ordinance amending Administrative Code by amending Section 37.9 to prohibit, except under narrow circumstances, owner move-in evictions that would result in the displacement of residential tenants who are 60 years of age or older and who have been residing in the same rental unit for 10 years or more; this ordinance would be in effect through June 30, 1999. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee with request it be considered at the December 4, 1997 meeting.

File 109-97-004.

[Casket Stores]

Ordinance amending Planning Code Sections 227, 790.62 and 890.62 defining mortuary to include casket stores and other retail establishments that sell or offer for sale exclusively funerary goods. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-016.

[Hotel Tax Fund Reallocation]

Ordinance amending Municipal Code, Part III, by amending Section 515.01(b)(3)(E) to extend the allocation of Hotel Tax Funds to provide rent supplements for low-income households for five years in an aggregate maximum amount of \$3,240,000 during such five-year period, for a total aggregate amount of \$7,240,000 over the fifteen-year period from January 1, 1997, through December 31, 2002. Supervisor Brown presented. Referred to Finance Committee.

File 127-97-006.02.

Referred to Board

[Commend Albert C. Walker]

Resolution recognizing Albert C. Walker, Executive Director of the Civil Service Commission, on the occasion of his retirement after 26 years of service to the City and County of San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 006-97-208.

[Commend Bobby Shaw, Jr.]

Resolution commending Bobby Shaw, Jr. for demonstrating to youth everywhere how dedication and commitment to excellence can overcome life's obstacles and how athletic excellence must complement academic achievement. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 006-97-209.

[Commend Sheriff's Office]

Resolution commending the Sheriff's Office on its successful implementation of the Victim Information and Notification Everyday (VINE) Program in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 006-97-210.

[Commend Kung Pao Kosher Comedy]

Resolution commending "An evening of Kung Pao Kosher Comedy" for its continuing contributions to humor in San Francisco and for its charitable contributions and proclaiming December 23, 24, 25 and 26, 1997 as "Kung Pao Kosher Comedy Days" in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 006-97-211.

[Commend Henny Youngman]

Resolution commending Henny Youngman for his 70 years as a comedian and for being the grandfather of the one-liner art form and proclaiming the week of December 22-28, 1997 as "Henny Youngman Week" in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 006-97-212.

[Commend George Bacigalupi]

Resolution commending the lifetime achievements of George Bacigalupi. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 006-97-213.

[Taxi Cab Permits]

Resolution urging the State Public Utilities Commission to use due prudence and public hearings when considering the issuance of additional TCP (taxi cab) permits, to refrain from issuing an increase in the number of these permits for limousine services until the Mayor's Taxi Task Force has finished its deliberations, to budget sufficient monitoring commensurate with any such increase, and to carefully monitor limousines operating without TCP licenses. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 012-97-035.

[State Bank In Lieu Tax]

Resolution requesting the City Lobbyist and the San Francisco Delegation in the State Legislature cooperate with the California Bankers Association to modify the State Bank In-lieu Tax law to mandate subvention of a portion of these tax receipts to local government by supporting California State Assembly Bill 511. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 012-97-036.

Referred to Committee

[Methadone Administration Waiver]

Resolution urging the Federal Government to provide a waiver to the City and County of San Francisco so that private physicians may administer methadone within their independent discretion and urging the San Francisco Department of Public Health to apply for such a waiver. Supervisor Newsom presented. Referred to Health, Family and Environment Committee.

File 013-97-040.

Referred to Board

[Gift Acceptance]

Resolution accepting a gift valued at approximately \$30,000 from Unryushi Gassan to the City and County of San Francisco (artwork). Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 038-97-017.

Referred to Committee

[Grant, Minority Business Opportunity Committee]

Resolution authorizing the Mayor to apply for, accept and expend the Minority Business Development grant for a total amount not to exceed \$450,000. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 068-97-008.

[Amicus Curiae Brief, 1830 Sutter Street]

Resolution urging the City Attorney to consider submitting an amicus curiae brief in support of petitioner Soko Bukai's petition to enforce the charitable trust, remove the trustee and appoint a successor trustee, and directing the Clerk of the Board to inform all City departments of the existence of a lawsuit against the San Francisco YWCA's ownership of the building at 1830 Sutter Street. Supervisors Teng, Yaki, Brown, Bierman, Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 194-97-008.

Referred to Board

[Kiosk, Castro Neighborhood]

Resolution urging the Departments of Public Works and Public Transportation, as part of the program to create neighborhood city halls in San Francisco and working with residents of the Castro neighborhood, to develop and implement a pilot program to place one state-of-the-art interactive kiosk in a location in the Castro neighborhood to be determined by the Director of Public Works, in consultation with the Director of Public Transportation and residents of the Castro neighborhood; and providing that the kiosk shall be installed and maintained at no cost to the City. Supervisors Kaufman, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 200-97-001.01.

[Emergency Notification System]

Resolution urging the San Francisco Police Department to implement the Emergency Notification System (ENS) in the City and County of San Francisco. Supervisors Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 207-97-013.

Requests for Hearings:

[Municipal Railway's Observer Program]

Hearing to consider the Municipal Railway's Observer Program. Supervisors Brown, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 7-97-17.

[Parking Garages, Proposition F, 1987]

Hearing regarding implementation of Proposition F, 1987, in which the voters approved the financing of the acquisition, construction or completion of parking lots or garages in specific areas of the City, specifically as it pertains to the Inner Richmond and the Outer Clement neighborhoods. Supervisors Yaki, Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 047-97-005.

[Underground Conversion Costs]

Hearing to consider options that would alleviate the burden of conversion costs for low income residents and seniors included in the City's 42 miles undergrounding/gas main replacement project. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 052-97-002.

[Vacant Buildings, Shelter for Homeless]

Hearing to consider urging the City and County to utilize empty residential, commercial and multi-use spaces and buildings for shelter for homeless families and individuals. Supervisors Ammiano, Katz, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 083-97-003.

[Appointment]

Hearing to consider the appointment of a member of the Board of Supervisors to the Board of Directors of the Golden Gate Bridge, Highway and Transportation District succeeding Supervisor Susan Leal. Clerk of the Board. Referred to Rules Committee with request it be considered at the December 9, 1997 meeting.

File 92-97-54.

[Sunshine Ordinance]

Hearing to consider whether or not there is a practice of compliance to the Sunshine Ordinance by non-profit organizations. Supervisor Ammiano presented. Referred to Finance Committee.

File 097-97-068.

[Bidding Process/Sale, Fillmore Center]

Hearing to consider the post-foreclosure bidding process and sale of the Fillmore Center. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 161-97-010.

[Cellular Phone Antennae Guidelines]

Hearing to consider the guidelines for placement of cellular phone antennae. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 189-97-005.

[Public Arts Program]

Hearing to consider whether or not the City should adopt a master plan to evaluate the appropriateness and establish guidelines for placement of public art. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 197-97-003.

[Harbor Berths]

Hearing to examine the administrative practices of the berthing procedures at all San Francisco harbors, including the Marina, Fisherman's Wharf, South Beach Harbor, Pier 39 and Treasure Island. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 277-97-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 030-97-001.23.

[Joint Venture Agreement]

Motion approving an agreement among the partners of the joint venture providing budget analyst services. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar December 8, 1997.

File 098-97-003.

Referred to Committee

[Proposition O Meeting]

Motion ordering the January 20, 1997, 6:00 p.m. meeting of the Economic Development Transportation and Technology Committee of the San Francisco Board of Supervisors to be held on January 20, 1997 at 6:00 p.m. at the First Union Baptist Church, 1001 Webster Street. Supervisor Brown presented. Referred to Rules Committee.

File 054-97-011.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-127. [Santa Clara County District Transit v. CCSF] Ordinance authorizing settlement of litigation of Santa Clara County Transit District against the City and County of San Francisco by payment of \$51,800. (See File 82-97-1). (Santa Clara County Superior Court No. CV 762485). (City Attorney) Referred to Finance Committee.

Resolutions Referred to Committee

File 064-97-019. [Lease Renewal, Three Parking Lots] Resolution authorizing three renewal leases for parking lots located in the vicinity of Sixth and Harrison Streets described as SFX80-21, SFX80-22, and SFX80-23 (Caltrans property), for the Police Department and Sheriff retroactive to September 1, 1997. (Real Estate Department) Referred to Finance Committee.

File 065-97-015. [Lease Agreement, Port/Kelly's Mission Rock, LLC] Resolution approving lease agreement with Kelly's Mission Rock, LLC, a California limited liability company and the City and County of San Francisco operating by and through the San Francisco Port Commission for the Mission Rock Resort Restaurant located at 817 Terry Francois Boulevard. (Port) Referred to Finance Committee.

File 092-97-053. [Appointment, S.F. Health Authority Governing Board] Resolution appointing Governing Board members to the San Francisco Health Authority. (San Francisco Health Plan) Referred to Rules Committee.

File 147-97-006. [Grant - Major Urban Resource Libraries] Resolution authorizing the San Francisco Public Library to accept and expend \$110,174.00 to be awarded by the California State Library, as part of the Major Urban Resource Libraries Program of the Library and Technology Act, to purchase books and materials for the international languages center, business center, jobs and career center, and children's center collections to be located in the main and branch libraries. (Public Library) Referred to Housing and Neighborhood Services Committee.

File 170-97-011. [Citywide Emergency Radio System Financing] Resolution approving the issuance of lease revenue bonds (not to exceed \$35,000,000) of the City and County of San Francisco Finance Corporation; approving the execution and delivery of a site lease agreement between the City and County of San Francisco, as lessor, and the City and County of San Francisco Finance Corporation, as lessee, relating to certain police, fire, and health facilities located in the City (as further described in this resolution); approving the execution and delivery of a lease and option to purchase between the corporation, as lessor, and the City, as lessee, relating to the property (including certain indemnification provisions therein); approving the execution and delivery of an indenture of trust among the corporation, the City and the trustee; approving the execution and delivery of a continuing disclosure certificate relating to said Bonds; approving the circulation of an official statement relating to said Bonds; ratifying previous actions taken in connection with the foregoing matters; adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1; and authorizing the taking of appropriate actions in connection therewith. (Mayor) Referred to Finance Committee with request it be considered at the December 3, 1997 meeting.

File 172-97-076. [Agreement, Sheriff - Community Alert Network, Inc.] Resolution authorizing the San Francisco Sheriff's Department to enter into an agreement with Community Alert Network, Inc., for an automated telephone notification system, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff) Referred to Housing and Neighborhood Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Ammiano, Bierman, that letter be sent to Alamo School commending and applauding the fine job that the parents, students and administration has done in parent involvement, incorporating private businesses into programs and materials to supplement education and creating a high level of quality that transcends into the teachings of the institution.

By Supervisor Ammiano, that a follow up letter be sent to Department of Public Health inquiring on the requirements for due process for clients of non-profit organizations.

By Supervisor Ammiano, that letter be sent to Director, Department of Environment, requesting a summary of the department's responsibilities under the City Charter, an update on implementation of the Sustainability Plan and the City's integrated pest management ordinance and a summary of current staffing and funding levels for the department.

By Supervisor Yee, that letter be sent to Director, Department of Parking and Traffic to determine the feasibility of funding and building a multi-level parking structure which would serve the Inner Richmond area (Clement Street).

By Supervisor Katz, that letter be sent to Director of Public Health to determine what provisions are in place to handle language barriers for non-English speaking residents of the City and County seeking health care.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Douglas Brian Winokur (Supervisor Kaufman)
Grandvel Jackson (Supervisors Brown, Bierman)
Johnnie Smith (Supervisor Brown)

File 2-97-46

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:14 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 12, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, December 8, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 8, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Leal - 1.

Quorum present.

Supervisor Leal Excused

The Clerk stated Supervisor Leal requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Teng, moved to excuse Supervisor Leal from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journals of Proceedings for Monday, October 6, and Tuesday, October 14, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Hetch Hetchy Water and Power Department]
Ordinance appropriating \$242,397, Hetch Hetchy Water and Power Department, of Hetch Hetchy Power Revenues for the creation of a new Retail Power Accounts Program and for the creation of four (4) new positions for fiscal year 1997-98; companion measure to File 102-97-7. (Controller)

File 101-97-25, Ordinance No. 451-97

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Hetch Hetchy]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Hetch Hetchy Water and Power Department, reflecting the creation of four (4) new positions (Class 1063 IS Senior Programmer, 1366 Special Assistant VII, 1368 Special Assistant IX, and 5633 Water and Power Specialist); companion measure to File 101-97-25. (Department of Human Resources)

File 102-97-7, Ordinance No. 454-97

Finally passed.

[Appropriation, Department of Public Works]

Ordinance appropriating \$755,000, Department of Public Works, from the General Fund Reserve (\$695,000 from reserve for Third Street cleanup and \$60,000 from reserve for Tenderloin extra cleaning services) to fund salaries, supplies and equipment for cleaning services in the Bayview and Tenderloin areas and the creation of one (1) position for fiscal year 1997-98; companion measure to File 102-97-8. (Controller)

File 101-97-27, Ordinance No. 452-97

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Dept. of Public Works]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Public Works, reflecting the creation of one (1) position (Class 8280 Environmental Control Officer); companion measure to File 101-97-27. (Department of Human Resources)

File 102-97-8, Ordinance No. 455-97

Finally passed.

[Appropriation, Sheriff, Litigation]

Ordinance appropriating \$8,750,000, Sheriff, from General Fund Litigation Reserve Balance to claims and judgments and authorizing settlement of litigation between Stolte, Inc., a division of Green International on behalf of itself and its sub-contractors and the City and County for \$8,750,000. (Supervisor Kaufman)

File 101-97-34, Ordinance No. 453-97

Finally passed.

[Setting Schedules of Compensation]

Ordinance amending Ordinance No. 275-97 setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior and Municipal Courts for the City and County. (City Attorney)

File 106-97-1.1, Ordinance No. 456-97

Finally passed.

[Amendment to MOU, Local 911]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County for Bargaining Units P-1; P-2A and P-2B; effective July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-96-30.2, Ordinance No. 450-97

(Fiscal Impact.)

Finally passed.

Adopted

[Extension and Renewal of Leases]

Resolution authorizing retroactive extension and renewal of seven (7) existing leases of real property required by the Department of Public Health for Outpatient Mental Health Clinics. (Real Estate Department)

File 64-97-18, Resolution No. 1104-97

Adopted.

Recommendation of Health, Family and Environment Committee

Finally Passed

[Extending MBE/WBE/LBE Ordinance - III]

Ordinance amending Administrative Code to set forth findings supporting three month extension of MBE/WBE/LBE Ordinance - III and providing for three month extension. (Supervisors Katz, Bierman, Teng, Leal)

File 284-97-1.1, Ordinance No. 457-97

(Adds Section 12D.2-3; amends Sections 12D.9(A), 12D.10(A), and 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections at "Stop" intersections. (Housing and Neighborhood Services Committee)

File 18-97-9, Resolution No. 1094-97

(Stop Signs - Establish

Anza Street and Blake Street, northwest corner, stopping Blake Street (makes T-intersection a one-way Stop);

Anza Street and Collins Street, northwest corner, stopping Collins Street (makes T-intersection a one-way Stop);

Anza Street and Spruce Street, northwest corner, stopping Spruce Street (makes T-intersection a one-way Stop);

Anza Street south frontage road (proposed new roadway) and Blake Street, southwest corner, stopping eastbound traffic on the frontage road;

Anza Street south frontage road (proposed new roadway) and Collins Street, southwest corner, stopping eastbound traffic on the frontage road;

Anza Street south frontage road (proposed new roadway) and Cook Street, southwest corner, stopping eastbound traffic on the frontage road;

Anza Street south frontage road (proposed new roadway) and Spruce Street, southwest corner, stopping eastbound traffic on the frontage road;

Girard Street and Wilde Avenue, northwest and southeast corners, stopping Girard Street (makes uncontrolled intersection a two-way Stop);

Griffith Street and Shafter Avenue, northwest and southeast corners, stopping Shafter Avenue (makes uncontrolled intersection a two-way Stop).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Neighborhood Services Committee)

File 19-97-10, Resolution No. 1095-97

(No Parking Anytime - Rescind

Napoleon Street, south side, from 400 feet to 1200 feet west of Evans Avenue (800-foot zone).

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9 am - 6 pm, Monday through Saturday) - Establish

Church Street, east side, from 25 feet to 70 feet north of 24th Street (45-foot zone, extending existing parking meter area to a total of 70 feet).

Residential Permit Parking Area "I" (1-Hour Time Limit, 9 am - 6 pm, Monday through Saturday) - Establish

Shotwell Street, both sides, between 22nd and 23rd Streets (800 block).

Residential Permit Parking Area "I" (1-Hour Time Limit, 9 am - 8 pm, Monday through Saturday) - Establish

22nd Street, both sides, between Valencia and Guerrero Streets (3300 block).

Residential Permit Parking Area "J" (2-Hour Time Limit, 8 am - 5 pm, Monday through Friday) - Establish

10th Avenue, both sides, between Moraga and Noriega Streets (1700 block);

Moraga Street, both sides, between 9th and 10th Avenues (300 block).

Residential Permit Parking Area "L" - Rescind

Anza Street, south side, between Parker and Masonic Avenues (100 through 600 blocks, remove eligibility to purchase permits).

Residential Permit Parking Area "R" (2-Hour Time Limit, 9 am - 6 pm, Monday through Saturday) - Establish

Franklin Street, both sides, between Eddy and McAllister Streets (600 through 800 blocks);

Fulton Street, both sides, between Laguna and Franklin Streets (300 through 500 blocks);

Golden Gate Avenue, both sides, between Laguna and Franklin Streets (700 through 900 blocks);

Gough Street, both sides, between Golden Gate Avenue and Fulton Street (600 and 700 blocks);

Laguna Street, both sides, between Golden Gate Avenue and Fulton Street (800 and 900 blocks);

McAllister Street, both sides, between Laguna and Franklin Streets (600 through 800 blocks).

Residential Permit Parking Area "S" (2-Hour Time Limit, 8 am - 9 pm, Monday through Friday) - Establish

21st Street, both sides, between Castro and Collingwood Streets (3900 block).

Residential Permit Parking Area "V" (2-Hour Time Limit, 8 am - 6 pm, Monday through Friday) - Establish

Del Monte Street, both sides, between Mount Vernon Avenue and Ottawa Street (100 block).

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Neighborhood Services Committee)

File 20-97-9, Resolution No. 1096-97

(One-Way Street - Establish

Anza Street, south frontage road (proposed new roadway), eastbound, between Parker Street and a point 150 feet east of Collins Street.

Street Closure - Establish (Additional 6-Month Trial Period)

Tiffany Avenue, at 29th Street (originally implemented for a 6-month trial period).

Tow-Away, No Stopping Anytime - Establish

La Playa, west side, from Kirkham Street to 45 feet northerly (45-foot zone);

Lower Great Highway, east side, from Kirkham Street to 45 feet northerly (45-foot zone);

Pine Street, south side, across the driveway at Century Place (25-foot zone);

Napoleon Street, north side, from 730 feet to 790 feet west of Evans Avenue (60-foot zone between driveways, across from the entry gate for the postal facility parking lot;

Napoleon Street, south side, from 690 feet to 840 feet west of Evans Avenue (150-foot zone).

Mid-Block Crosswalk - Establish

Napoleon Street, approximately 750 feet west of Evans Avenue (adjacent to the entry gate for the postal facility parking lot).)

Adopted.

[Gift Acceptance]

Resolution accepting gift valued at \$400,000 from the Koshland Family for the renovation of Daniel E. Koshland, Sr. Park. (Recreation and Park Department)

File 38-97-16, Resolution No. 1098-97

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Kennedy, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of plaintiffs Sarah Kennedy and Heather Piccone against the City and County by payment of \$137,581.69. (City Attorney)

File 45-97-124, Ordinance No.

(Superior Court No. 973-096.)

Passed for second reading.

[Humberto Garcia v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Humberto Garcia against the City and County by payment of \$139,000 plus waiver of San Francisco General Hospital lien of \$15,589.83. (City Attorney)

File 45-97-125, Ordinance No.

(Superior Court No. 968-854.)

Passed for second reading.

[Jeff Edwards v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jeff Edwards v. City and County, et al., by payment of \$110,000. (City Attorney)

File 45-97-126, Ordinance No.

(United States District Court No. C96-2263 PJH.)

Passed for second reading.

Adopted

[Settlement of Claim, Pacific Gas & Electric Co.]

Resolution approving the settlement of the unlitigated claim of Pacific Gas & Electric Company by payment of \$80,000. (City Attorney)

File 48-97-76, Resolution No. 1101-97

Adopted.

[Settlement of Claim, Reviewco]

Resolution approving settlement of unlitigated claim of Reviewco by payment of \$551,000. (City Attorney)

File 48-97-77, Resolution No. 1102-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Monday, December 8, 1997

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

Supervisor Newsom was excused from voting.
(See Journal of Proceedings of November 24, 1997.)

[Findings]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 97.592CR, for the installation of six antennas on a new light pole and a base transceiver station on the rooftop parking level, of the existing Marina off-street parking garage as part of the wireless telecommunications network, in an NC-2 (Small Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets; Lots 9, 10, 11, 12 and 13, in Assessor's Block 490.

File 37-97-7.4, Motion No.

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Teng, Yaki, Yee - 7.

Noes: Supervisors Medina, Ammiano - 2.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Leal - 1.

Recommendations of Rules Committee

Rereferred to Committee

[Public Record, Contract/Bid Raters]

Ordinance amending Administrative Code, to specify that the evaluation forms and names of persons serving as raters for any City contract selection or bidding procedures would be subject to public inspection after the evaluation process has been completed. (Supervisor Ammiano)

File 97-97-37, Ordinance No.

(Amends Section 67.24.)

(November 17, 1997 - Consideration continued to December 8, 1997.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to rerefer to Rules Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[City Seal on Harvey Milk Burial Marker]

Ordinance authorizing the official corporate seal of the City and County to be used on the burial site and marker of Harvey Milk, former Supervisor of the City and County of San Francisco. (Supervisors Katz, Bierman, Ammiano, Brown, Leal, Yaki, Medina, Teng)

File 197-97-2, Ordinance No.

(November 24, 1997 - Consideration continued to December 8, 1997.)

Supervisor Katz, seconded by Supervisor Yaki, moved to rerefer to Rules Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Public Transportation Commission]

Ordinance appropriating \$1,364,564, Public Transportation Commission, of Safe Harbor Lease Revenue to provide additional funding for the Advanced Train Control System Project for fiscal year 1997-98. (Controller)

File 101-97-22, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appropriation, Airport Commission]

Ordinance appropriating \$4,000,000, Airport Commission, from Fund Balance, to reduce estimated landing fees and rental revenues pursuant to Lease and Use Agreement between San Francisco Airport and various airlines, for fiscal year 1997-98. (Controller)

File 101-97-26, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading as Amended

[Appropriation, District Attorney]

Ordinance appropriating \$117,639, District Attorney, of General Fund Bad Check Recovery Revenues, for the creation of three and a half (3.5) positions for fiscal year 1997-98, subject to certain conditions; companion measure to File 102-97-9. (Controller)

File 101-97-28, Ordinance No.

(Fiscal Impact.)

Supervisor Yaki, seconded by Supervisor Brown, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Salary Ordinance Amendment, District Attorney]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), District Attorney, reflecting the creation of 3.5 new positions; companion measure to File 101-97-28. (Department of Human Resources)

File 102-97-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appropriation, Mayor's Office]
Ordinance appropriating \$800,000, Mayor's Office, of Citizen's Option for Public Safety (COPS) Program Revenue, to implement part of the comprehensive juvenile justice action plan and to fund the start up costs of five pilot programs for fiscal year 1997-98; subject to certain conditions. (Controller)

File 101-97-30, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

[Appropriation, Mayor's Office]
Ordinance appropriating \$100,000, Mayor's Office, from the General Fund Reserve-Youth Line for the implementation of the Youthline Program for fiscal year 1997-98. (Supervisor Kaufman)

File 101-97-33, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

The President resumed the Chair.

Consideration Continued

[Appropriation, Mayor's Office of Community Development]
Ordinance appropriating \$94,943, Mayor's Office of Community Development, from the General Fund Reserve-Day Labor Program for professional services at the Mayor's Office for fiscal year 1997-98; providing for ratification of action previously taken. (Mayor's Office of Community Development)

File 101-97-48, Ordinance No.

Supervisor Medina, seconded by Supervisor Newsom, moved to continue consideration to December 22, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Benefits for Court Employees]
Ordinance amending Ordinance No. 289-96, which set schedules of compensation and other economic benefits for fiscal year 1997-98 for certain classifications of persons employed by the Municipal Court for the City and County, by adding certain retirement benefits for Court Reporters. (Municipal Court)

File 106-96-3.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Mortgage Credit Certificate]

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of mortgage credit certificates not to exceed \$25 million (Home Finance Program). (Supervisor Brown)

File 276-97-1, Resolution No. 1085-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading

[Sidewalk Width Regulations, Irving Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1540 to change the official sidewalk width on Irving Street between Arguello Boulevard and Second Avenue, as shown on the Department of Public Works drawing labeled Q-20-480, making findings pursuant to the General Plan and Planning Code Section 101.1, and requesting other official action in connection therewith. (Department of Public Works)

File 34-97-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading as Amended

[Sidewalk and Encroachment Permit Appeals]

Ordinance amending the Public Works Code to provide that appeals from sidewalk and encroachment permit decisions relating to building construction, rehabilitation or maintenance may be appealed to either the Building Inspection Commission or the Board of Supervisors; provided however that appeals to the Board of Supervisors waive the right of appeal to the Building Inspection Commission. (Supervisor Kaufman)

File 123-97-6, Ordinance No.

(Amends Section 723.2.)

Supervisor Yaki, seconded by Supervisor Teng, moved to amend Page 2, line 24, by replacing "10 days" with "15 days".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Gift Acceptance]

Resolution authorizing the Chief of Police to accept, on behalf of the Police Department, the gift of a cash donation of \$41,200 from the San Francisco Housing Authority for the Wilderness Adventure Youth Program. (Police Commission)

File 38-97-15, Resolution No. 1097-37

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Tour Bus Program Policy]

Resolution declaring it to be the policy of the Board of Supervisors to implement a tour bus program that would: include provisions related to tour buses in the Transportation Element of the General Plan; develop an agreement between the City and the Golden Gate National Recreation Area for the enforcement of tour bus regulation; cause to be dispersed more widely easily visible signs notifying and warning drivers and residents of tour bus regulations; result in education of tour bus drivers by their employers; lead to the adoption of permanent regulations regarding tour buses by December 31, 1999; and declare it to be the policy of the Board of Supervisors not to consider further restrictions on tour buses (except for those pending) until the elements of this program shall have been implemented. (Supervisors Teng, Bierman)

File 43-97-5, Resolution No. 1100-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Negative Declaration, Scott Street Senior Housing]

Resolution adopting Final Negative Declaration, finding and determining that the Scott Street Senior Housing Development and Special Use District in Assessor's Block, 681, Lots 15, 18, 19, 22, 29A, 29B, 38 and 40, for the properties located at 1600-1608 Scott Street, 2158-2180 Post Street; 2251-2267 Sutter Street will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to Files 115-97-4, 115-97-5, 36-97-1, 36-97-2. (Supervisors Kaufman, Leal, Teng, Medina, Katz, Yaki, Newsom, Ammiano, Brown)

File 115-97-4.1, Resolution No. 1108-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Yaki, Newsom, Ammiano, Brown requested to be added as co-sponsors.

Passed for Second Reading

[Senior Housing Special Use District]

Ordinance amending Planning Code to create a Senior Housing Special Use District at Scott and Post Streets consisting of Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 of Assessor's Block 681; finding consistency with Planning Code Section 101.1; companion measure to Files 115-97-4.1, 115-97-5, 36-97-1, 36-97-2. (Supervisors Kaufman, Leal, Bierman, Katz, Teng, Medina, Yaki, Newsom, Ammiano, Brown)

File 115-97-4, Ordinance No.

(Adds Section 249.20.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Yaki, Newsom, Ammiano, Brown requested to be added as co-sponsors.

[Scott Street Senior Housing, Height and Bulk]

Ordinance amending Planning Code to create special height and bulk exceptions for the Scott Street Senior Housing Special Use District at Scott and Post Streets on Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681; finding consistency with Planning Code Section 101.1; companion measure to Files 115-97-4.1, 115-97-4, 36-97-1, 36-97-2. (Supervisors Kaufman, Leal, Bierman, Katz, Medina, Teng, Yaki, Newsom, Ammiano, Brown)

File 115-97-5, Ordinance No.

(Adds Section 263.15.)

(October 23, 1997 - Approved by Planning Commission Resolution No. 14481.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Yaki, Newsom, Ammiano, Brown requested to be added as co-sponsors.

[Zoning Map Amendment, Scott Street Senior Housing]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of property located at Scott and Post Streets of Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681 from an RH-3 (Residential, House, Three Family) District and NC-3 (Moderate-Scale Neighborhood Commercial) District to an RH-3 (Residential, House, Three Family) District and NC-3 (Moderate-Scale Neighborhood Commercial) District and the Scott Street Senior Housing Special Use District; finding consistency with Planning Code Section 101.1; companion measure to Files 115-97-4.1, 115-97-4, 115-97-5, 36-97-2. (Supervisors Kaufman, Leal, Bierman, Katz, Medina, Teng, Ammiano, Brown, Yaki, Newsom)

File 36-97-1, Ordinance No.

(October 23, 1997 - Approved by Planning Commission Resolution No. 14481.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Yaki, Newsom, requested to be added as co-sponsors.

[Zoning Map Amendment, Scott Street Senior Housing]

Ordinance adopting changes in property height and bulk classification as an amendment to the Zoning Map of property located in the Scott Street Senior Housing District in Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681 from 50-X and 65-A Districts to 50-X/70-J and 65-A/70-J; finding consistency with Planning Code Section 101.1; companion measure to Files 115-97-4.1, 115-97-4, 115-97-5, 36-97-1. (Supervisors Kaufman, Leal, Bierman, Katz, Medina, Teng, Yaki, Newsom, Ammiano, Brown)

File 36-97-2, Ordinance No.

(October 23, 1997 - Approved by Planning Commission Resolution No. 14481.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Yaki, Newsom, Ammiano, Brown requested to be added as co-sponsors.

Adopted

[Grant, Operation Revitalization Program]

Resolution authorizing the Chief of Police to apply for retroactively, accept, and expend funds in the amount of Three Hundred Sixty Two Thousand-Five Hundred Nineteen Dollars (\$362,519) for a project designated "Operation Revitalization-Ocean View/Merced Heights/Ingleside. (Police Department)

File 143-97-7, Resolution No. 1109-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Liquor License, 399 Cortland Avenue]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Aaron Fisher for Blumengarten, a flower and gift shop located at 399 Cortland Avenue, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions. (Housing and Neighborhood Committee)

File 223-97-30, Resolution No. 1113-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Liquor License Transfer, 125 Hyde Street]

Resolution opposing the request for the transfer of a Type 20 off-sale beer and wine license for Yeyah Hassan, from 288 Golden Gate Avenue to 125 Hyde Street, and determining that it will not serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-34, Resolution No. 1114-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Recommendations of Rules Committee

Passed for Second Reading

[Claims Deadlines]

Ordinance amending the Administrative Code to change the deadline for filing of claims for death or injury to the person or to personal property or growing crops from 100 days to six months. (Clerk of the Board)

File 97-97-64, Ordinance No.

(Amends Section 10.20-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, term expired July 15, 1996, for a new two-year term ending July 15, 1998. (Rules Committee)

File 92-96-30, Resolution No. 1105-97

(Harold Supriano, succeeding Lonnie Lawson, Seat No. 23304.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted as Amended

[Appointments]

Resolution appointing members to the Local Homeless Coordinating Board, making findings waiving residency requirements; for indefinite terms. (Rules Committee)

File 92-97-47.1, Resolution No. 1106-97

(Michael Bennett, Seat No. 30701, must represent homeless or formerly homeless;
Victoria Black, Seat No. 30702, must represent homeless or formerly homeless;
Edwin Wilkerson, Seat No. 30703, must represent area of advocacy;
Ramona Benson, Seat No. 30704, must represent area of advocacy;
Joy Rucker, Seat No. 30706, must be a service provider;
Jacky Bloom, Seat No. 30707, must be a service provider;
James Brady, Seat No. 30708, must represent the business community;
Carrie Dipman, Seat No. 30709, must represent education and/or training;
Paul Boden, Seat No. 30712, must be an at-large appointment.)

Supervisor Ammiano, seconded by Supervisor Brown, moved an amendment of the whole entitled, "Resolution appointing members to the Local Homeless Coordinating Board, making findings waiving residency requirements."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for unexpired portion of two-year term ending July 15, 1998. (Rules Committee)

File 92-97-48.1, Resolution No. 1107-97

(Fannie Camille She, succeeding Gilman Louie, resigned, Seat No. 23306.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public hearing]

Hearing of persons interested in or objecting to report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Sections 38.11, et seq. of the Administrative Code.

File 159-97-1

Supervisor Medina, seconded by Supervisor Brown, moved to continue consideration to December 22, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

From Public Transportation Commission

Consideration Continued

[Delinquent Transfer Impact Development Fee]

Resolution confirming report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Sections 38.11, et seq. of the Administrative Code.

File 159-97-1, Resolution No.

Supervisor Medina, seconded by Supervisor Brown, moved to continue consideration to December 22, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore; Whirlwind Dreamer.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Albert C. Walker]

Resolution recognizing Albert C. Walker, Executive Director of the Civil Service Commission, on the occasion of his retirement after 26 years of service to the City and County of San Francisco. (Supervisors Kaufman, Bierman, Katz)

File 6-97-208, Resolution No.

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commend Bobby Shaw, Jr.]

Resolution commending Bobby Shaw, Jr. for demonstrating to youth everywhere how dedication and commitment to excellence can overcome life's obstacles and how athletic excellence must complement academic achievement. (Supervisors Brown, Bierman, Katz)

File 6-97-209, Resolution No. 1086-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commend Sheriff's Office]

Resolution commending the Sheriff's Office on its successful implementation of the Victim Information and Notification Everyday (VINE) Program in San Francisco. (Supervisors Kaufman, Bierman, Katz)

File 6-97-210, Resolution No. 1087-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commend Kung Pao Kosher Comedy]

Resolution commending "An evening of Kung Pao Kosher Comedy" for its continuing contributions to humor in San Francisco and for its charitable contributions and proclaiming December 23, 24, 25 and 26, 1997 as "Kung Pao Kosher Comedy Days" in San Francisco. (Supervisors Kaufman, Bierman, Katz)

File 6-97-211, Resolution No. 1088-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commend Henny Youngman]

Resolution commending Henny Youngman for his 70 years as a comedian and for being the grandfather of the one-liner art form and proclaiming the week of December 22-28, 1997 as "Henny Youngman Week" in San Francisco. (Supervisors Kaufman, Bierman, Katz)

File 6-97-212, Resolution No. 1089-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commend George Bacigalupi]

Resolution commending the lifetime achievements of George Bacigalupi. (Supervisors Yaki, Katz)

File 6-97-213, Resolution No. 1090-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Taxi Cab Permits]

Resolution urging the State Public Utilities Commission to use due prudence and public hearings when considering the issuance of additional TCP (taxi cab) permits, to refrain from issuing an increase in the number of these permits for limousine services until the Mayor's Taxi Task Force has finished its deliberations, to budget sufficient monitoring commensurate with any such increase, and to carefully monitor limousines operating without TCP licenses. (Supervisors Newsom, Bierman)

File 12-97-35, Resolution No. 1091-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[State Bank In Lieu Tax]

Resolution requesting the City Lobbyist and the San Francisco Delegation in the State Legislature cooperate with the California Bankers Association to modify the State Bank In-lieu Tax Law to mandate subvention of a portion of these tax receipts to local government by supporting California State Assembly Bill 511. (Supervisors Ammiano, Bierman)

File 12-97-36, Resolution No. 1092-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Gift Acceptance]

Resolution accepting a gift valued at approximately \$30,000 from Unryushi Gassan to the City and County of San Francisco (artwork). (Supervisor Kaufman)

File 38-97-17, Resolution No. 1099-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

[Kiosk, Castro Neighborhood]

Resolution urging the Departments of Public Works and Public Transportation, as part of the program to create neighborhood city halls in San Francisco and working with residents of the Castro neighborhood, to develop and implement a pilot program to place one state-of-the-art interactive kiosk in a location in the Castro neighborhood to be determined by the Director of Public Works, in consultation with the Director of Public Transportation and residents of the Castro neighborhood; and providing that the kiosk shall be installed and maintained at no cost to the City. (Supervisors Kaufman, Leal, Katz)

File 200-97-1.1, Resolution No. 1111-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Emergency Notification System]

Resolution urging the San Francisco Police Department to implement the Emergency Notification System (ENS) in the City and County of San Francisco. (Supervisors Katz, Bierman)

File 207-97-13, Resolution No. 1112-97

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 30-97-1.23

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

[Joint Venture Agreement]

Motion approving an agreement among the partners of the joint venture providing budget analyst services. (Clerk of the Board)

File 98-97-3

(November 24, 1997 - Introduced in Board for consideration on December 8, 1997.)

Adopted.

[Election Declaration]

Resolution declaring the results of the Consolidated Municipal Election conducted November 4, 1997 in the City and County of San Francisco. (Clerk of the Board)

File 60-97-13, Resolution No. 1103-97

(December 3, 1997 - Referred to Board for consideration on December 8, 1997.)

Adopted.

[Park and Open Space Advisory Committee]

Resolution amending Resolution Nos. 667-90 and 955-93 to add the Friends of Duboce Park as an organization qualified to submit nominations for appointment to the Park and Open Space Advisory Committee pursuant to Charter Section 16.107(g). (Supervisor Katz)

File 193-97-11, Resolution No. 1110-97

(December 2, 1997 - Referred to Board for consideration on December 8, 1997.)

Adopted.

[Final Map]

Motion approving final map of 2507-2507A, 2509-2509A-2511-2511A Polk Street, a Residential Condominium Project, being a subdivision of Lot 8 in Assessor's Block 523, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-34

(December 2, 1997 - Referred to Board for consideration on December 8, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Leal, Yaki - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following motions:

Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Imperative Resolution]

Adopted

[Appointment of Bill Lann Lee as Assistant Attorney General]

Resolution urging for a full Senate confirmation of Bill Lann Lee, and for President Clinton to appoint Bill Lann Lee as well as to make an interim appointment as the next Assistant Attorney General for Civil Rights, and directing the Clerk of the City and County of San Francisco to forward a copy of this resolution to the City's Lobbyist in Washington, D.C.

File 013-97-042, Resolution No. 1122-97

Supervisor Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Employee Claims - Payment Approval]

Substitute ordinance amending Administrative Code by amending Section 10.25-8 to require claims for damaged articles by employees of the City and County that are in excess of \$1,000 to be approved by the Board of Supervisors and by repealing Section 10.25-9. Supervisors Kaufman, Medina presented. Referred to Finance Committee.

File 097-97-044.

[Skating Advisory Committee]

Ordinance amending Administrative Code by adding Article XXI, Section 5.210 through 5.212 to establish a Skating Advisory Committee, with 11 voting members appointed by the Board of Supervisors, responsible for developing a plan for skating-related improvements, reviewing policies and programs related to skating in the transportation element of the General Plan of the City, and developing a plan for public outreach. Supervisor Amiano presented. Referred to Housing and Neighborhood Services Committee.

File 097-97-069.

[CALM-Cash Assistance Linked to Medi-Cal]

Ordinance amending the San Francisco Administrative Code by adding Article X to Chapter 20 thereto, encompassing Sections 20.100 to 20.123, to establish a Cash Assistance Program for individuals who are eligible for Medi-Cal due to age or disability, but who are not eligible for Supplemental Social Security Income (SSI). Presented by Mayor. Referred to Finance Committee.

File 097-97-070.

[PAES-Personal Assisted Employment Services]

Ordinance amending the San Francisco Administrative Code by adding Article IX to Chapter 20, encompassing Sections 20.70 to 20.92, to create the Personal Assisted Employment Services Program to provide assistance in obtaining paid employment and a cash stipend for indigent adult residents of San Francisco. Presented by the Mayor. Referred to Finance Committee.

File 097-97-071.

[SSIP-Supplemental Security Income Pending]

Ordinance amending the San Francisco Administrative Code by adding Article XI to Chapter 20 thereto, encompassing Sections 20.200 to 20.224, to establish a Cash Assistance Program for individuals who are applying, or have been determined eligible for Social Security Income (SSI) but who have not begun to receive payments. Presented by the Mayor. Referred to Finance Committee.

File 097-97-072.

[General Assistance Program]

Ordinance amending Administrative Code by amending Section 20.55 to change the reference from "This Chapter" to "This Article," Section 20.552 to include a definition of FSET/GATES, PAES, CALM, SSIP, MNO, Electronic Benefit Transfer, TANF and CALWORKS, to delete reference to MIC, to update the name of the Department of Social Services to the Department of Human Services and to change the term General Manager to Executive Director, Section 20.55.4 to clarify the purposes and principles of the General Assistance Program; by amending Section 20.56 to provide that children under 18 who are living with and applying for General Assistance with their parent(s) and who have been eligible for TANF/CALWORKS shall be eligible for aid and/or services under this Article, Section 20.56.6 to allow for rent payments up to the eligible client's otherwise eligible total monthly income and/or assets rather than the monthly grant amount, Section 20.56.8 to provide that abandonment of S.F. residency shall result in immediate termination of General Assistance, Section 20.56.11 to exclude income tax refunds and payments made under foster care or FSET/GATES Programs from the calculation of available income or resources, Section 20.56.13 to include current passports and immigration and naturalization identification as acceptable form of permanent identification and to require applicants to provide verifiable social security numbers, and by adding Sections 20.56.16, 20.56.17 and 20.56.18 to comply with State law provisions regarding ineligibility for General Assistance; by amending Section 20.57 to modify the amount and computation of General Assistance grants, Section 20.57.1 to provide that rent free housing shall be valued according to the income-in-kind chart in the California Code of Regulations rather than by fair market value, Section 20.57.5 to delete reference to medical benefits provided through the MIC Program; by amending Section 20.58 to eliminate the requirement that unemployable persons be given a medical reevaluation every three months, Section 20.58.1 to provide that if a recipient fails to comply with this article, his or her aid may be withheld and/or decreased and/or discontinued, Section 20.58.2 to

clarify when an unemployable person shall be reclassified as employable and to eliminate the requirement that clients submit medical or psychological evaluations within 10 days of a disability claim; by amending Section 20.59.3 to remove recipients receiving salary, wages, child support, other income or resources in an amount less than the maximum monthly grant amount from the list of short term cases qualifying for in-kind aid, Section 20.59.4 to clarify that aid payments may be made payable to the recipient or the recipient or his designated co-payee jointly, Section 20.59.5 to include two-party checks and electronic benefit transfers as acceptable forms of initial aid payments; by amending Section 20.60.6 to replace the phrase "has a language problem" to "is not proficient in English", Section 20.60.7 to clarify that, absent a showing of good cause, a client must be present in order for a hearing to be held and Section 20.60.9 to include evidence of disability as a means of showing good cause for non-attendance at a first meeting. Presented by the Mayor. Referred to Finance Committee.

File 097-97-073.

[Appropriation, Civic Center Courthouse Security]

Ordinance appropriating \$261,238 from the General Fund Reserve to fund the cost of the ten (10) additional positions for security needed at the new Civic Center Courthouse for fiscal year 1997-98. Presented by the Controller. Referred to Finance Committee.

File 101-97-049.

[Appropriation, Public Works, City Hall]

Ordinance appropriating \$25,192,702 of City Hall Improvement bond fund proceeds for design and construction of non-seismic improvements at City Hall for the Department of Public Works for fiscal year 1997-98. Presented by the Mayor. Referred to Finance Committee.

File 101-97-050.

[Appropriation, Office of Citizen Complaints]

Substitute ordinance appropriating \$245,533 from the General Reserve-Office of Citizen Complaints, \$170,000 and \$75,533 from the San Francisco International Airport Reserve fund for salaries, fringe benefits, rent, other current expenses, materials and supplies, equipments and services of other department and for the creation of three (3) positions at the Office of Citizen Complaints-Police Department for fiscal year 1997-98. Presented by the Mayor. Referred to Finance Committee.

File 101-97-036.

[Appropriation, Department of Public Health]

Ordinance appropriating \$1,500,000 Community Health Service Tobacco settlement revenue, to fund for the health education, promotion and enforcement program to discourage smoking among minors at the Department of Public Health-Community Health Service for fiscal year 1997-98. Presented by the Mayor. Referred to Finance Committee.

File 101-97-052.

[Appropriation, City Attorney]

Ordinance appropriating \$824,009 from the General Fund Reserve-Litigation for salaries and fringe benefits for the City Attorney for fiscal year 1997-98. Presented by the Mayor. Referred to Finance Committee.

File 101-97-053.

[Public Employment, Sheriff's Office]

Ordinance amending Annual Salary Ordinance, 1997/98 reflecting the creation of 10 new positions in the Sheriff's Office. Presented by Department of Human Resources. Referred to Finance Committee.

File 102-97-017.

[News-Gathering Vehicles]

Substitute ordinance amending Article 1.1 of the San Francisco Traffic Code by amending Section 11.3 pertaining to exemptions for certain vehicles and 11.4 pertaining to display of vehicle press cards and by adding Section 11.9 providing for a new vehicle press card fee of \$50, adding Section 11.10 providing for specific locations for news-gathering vehicles, and adding Section 11.11 pertaining to elected officials, to grant preferential parking privileges to members of the press when engaged in the gathering or photographing of news and to elected officials when engaged in official business. Presented by Supervisor Yaki. Referred to Economic Development, Transportation and Technology Committee.

File 124-97-005.

Referred to Board

[Commend Filipino-American Democratic Club]

Resolution commending the Filipino-American Democratic Club for its efforts to raise political awareness in the Filipino-American community. Supervisors Yaki, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 15, 1997.

File 006-97-214.

[Commend NICOS]

Resolution commending NICOS for its work in the Chinese Community Health Study and urging the Department of Public Health to collaborate with NICOS to provide a more inclusive and comprehensive health care for San Francisco residents, including people with low-income and language barrier and urging the Department of Public Health and other private and/or public funding agencies to put resources in the research and development for the treatment of the compulsive gamblers. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar, December 15, 1997.

File 006-97-215.

[Commend Pets Unlimited]

Resolution recognizing Pets Unlimited on the occasion of its fiftieth anniversary and commending the organization, its founders, and staff for their contributions to the people of the City and County of San Francisco and their pets. Supervisor Kaufman presented. Referred to Board of Adoption Without Committee Reference Calendar December 15, 1997.

File 006-97-216.

[Red Light Camera Enforcement]

Resolution urging the California State Legislature to enact enabling legislation which will allow municipalities to classify as a non-moving violation the offense of running a red light when the ticket is issued as a result of a controlled intersection red light camera identifying the car but not the driver. Supervisors Newsom, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar December 15, 1997.

File 012-97-037.

[Supporting Federal Legislation/Gasoline MTBE]

Resolution declaring support of the City and County of San Francisco for federal legislation to reduce or eliminate the level of the gasoline additive Methyl Tertiary Butyl Ether (MTBE) in order to reduce possible carcinogenic and other potential health hazards in groundwater and underground potable water supplies. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 15, 1997.

File 013-97-041.

[Red Light Camera Funding]

Resolution urging the Mayor and the Parking and Traffic Commission to approve a request for supplemental budget appropriation for revenue neutral funding for the administration of an expanded Red Light Photo Enforcement Program; also urging the Controller to set up a traffic safety account to track revenues and expenditures from the Shelley Bill which are used to fund the red light photo enforcement and related safety programs. (Supervisors Newsom, Leal) Referred to Board for Adoption Without Committee Reference Calendar December 15, 1997.

File 088-97-003.

Referred to Committee

[San Francisco Affinity Credit Card Program]

Resolution urging the Mayor and the Department of Recreation and Parks to utilize the revenues generated from the San Francisco Affinity Credit Card Program for the improvement and restoration of Golden Gate Park. Supervisor Bierman presented. Referred to Finance Committee.

File 088-97-004.

Referred to Board

[Grant Application-Special Advocate]

Resolution approving San Francisco Court appointed Special Advocate (SFCASA) submission of grant application to the Judicial Council Court-Appointed Special Advocate. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar December 15, 1997.

File 279-97-001.

[San Francisco Citywide One Less Gun Campaign]
Resolution endorsing and supporting San Francisco's Citywide One Less Gun Campaign. Supervisors Brown, Kaufman, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 15, 1997.

File 280-97-001.

Referred to Committee

[Transitional Housing Placement Program]
Resolution requesting the State Department of Social Services to allow the City and County of San Francisco to participate in the Transitional Housing Placement Program which will involve licensed private, nonprofit, or county operated facilities in providing transitional housing placement services to persons at least 17 years old, and not more than 18 years old. Supervisors Brown, Bierman presented. Referred to Health, Family and Environment Committee.

File 281-97-001.

Requests for Hearings:

[Review of Taxi Rates]
Hearing to consider the City's obligations with regard to Police Code Section 1137, requiring the Board of Supervisors to review the rates for taxi cabs between September 1st and December 1st each year. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 15-97-4.

[Health Care - Golden Gate Park]
Hearing to consider whether or not the health needs/continuum of health care of the encampment population is continuing as a result of recent sweeps and clearing of Golden Gate Park. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 193-97-12.

[Renovation of Hallidie Plaza]
Hearing to consider the Department of Public Works' proposed plan for renovation of Hallidie Plaza. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 200-97-9.

[Translators - Court System]
Hearing to consider the shortage of translators in the court system, and to investigate whether San Francisco is in compliance with California Senate Bill 1304, a comprehensive Court Interpreter Program administered by the Judicial Council. Supervisor Ammiano presented. Referred to Rules Committee.

File 282-97-1.

Motions:

Referred to Committee

[Proposition O Meeting]
Motion ordering the January 15, 1998, 10:00 A.M. meeting of the Housing and Neighborhood Services Committee of the San Francisco Board of Supervisors be held on January 15, 1998, at 6:00 P.M. in the Secular, Community Meeting Room of the First Union Baptist Church, 1001 Webster Street. Supervisor Brown presented. Referred to Rules Committee.

File 54-97-11.1.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 046-97-012. [Settlement of Claim, NSF Design Subconsultant] Ordinance approving the settlement of the City's claims against MCT, mechanical and electrical design subconsultant for the new Sheriff's Facility. (MCT will pay \$400,000 to the City). (City Attorney) Referred to Rules Committee.

File 101-97-038. [Appropriation, Department of Public Health] Ordinance appropriating \$422,810, Department of Public Health-Community Health Service, of the General Fund Reserve, to fund the ambulatory health and mental care services at the new Treasure Island jail facility and for the creation of nine (9) new positions for fiscal year 1997-98; companion measure to File 102-97-13. RO #97161. (Controller) Referred to Finance Committee.

File 101-97-039. [Appropriation, Department of Human Services] Ordinance appropriating \$11,232,378, Department of Human Services, of State and Federal Revenues to fund implementation of Welfare Reform Programs, expansion of adoption and Homeless Programs, and improvement of Department of Human Services facilities, and for the creation of 277 new positions and the deletion of 149 positions, for fiscal year 1997-98; companion measure to File 102-97-14. RO #97159. (Controller) Referred to Finance Committee.

File 101-97-040. [Appropriation, Department of Public Health-SFGH] Ordinance appropriating \$189,738, Department of Public Health-San Francisco General Hospital, of the General Fund-Salary and Benefits to provide funding for additional patient care hours as specified in the Memorandum of Understanding between the City and SEIU Local 790 (Nurses), and for the creation of 5.24 positions for fiscal year 1997-98; companion measure to File 102-97-15. RO #97162. (Controller) Referred to Finance Committee.

File 101-97-041. [Appropriation, Dept of Public Health-SFGH] Ordinance appropriating \$643,223, Department of Public Health, from San Francisco General Hospital Patient Revenue to add unbudgeted patient revenue related to the merger of the UCSF/MT. Zion Workers' Compensation Clinic with the San Francisco General Hospital Workers' Comp Clinic for fiscal year 1997-98. RO #97150. (Controller) Referred to Finance Committee.

File 101-97-042. [Appropriation, Dept of Public Health-SFGH] Ordinance appropriating \$124,370, Department of Public Health, from San Francisco General Hospital Revenues to add unbudgeted patient revenue for services referred by the San Francisco Family Planning Program and Breast and Cervical Cancer Prevention Program and to support the San Francisco General Hospital pathology laboratory for fiscal year 1997-98. RO #97160. (Controller) Referred to Finance Committee.

File 101-97-043. [Appropriation, Mayor's Office] Ordinance appropriating \$100,000, Mayor's Office, from the General Fund Reserve-Day Labor Program, for professional services for fiscal year 1997-98; providing for ratification of action previously taken. RO #97164. (Controller) Referred to Finance Committee.

File 101-97-044. [Appropriation, Port Commission] Ordinance appropriating \$3,500,000, Port Commission, of San Francisco Harbor Operating Fund Loan Revenue, to fund the costs for the design and construction of Hyde Street fishing harbor for fiscal year 1997-98. RO #97158. (Controller) Referred to Finance Committee.

File 101-97-045. [Appropriation, Department of Public Health] Ordinance appropriating \$1,033,415, including an additional \$262,415, Department of Public Health-Community Health Service, from Medi-Cal and Medicare Revenues and transferring \$771,000 of visiting nurse hospice group contracts to fund the newly created Community Health Network Home Health Agency and for the creation of 28.2 new positions; companion measure to File 102-97-16. RO #97163. (Controller) Referred to Finance Committee.

File 101-97-046. [Appropriation, Dept of Building Inspection] Ordinance appropriating \$262,549, Department of Building Inspection, of Building Inspection fund balance to replenish the Repair and Demolition Fund for fiscal year 1997-98. RO #97166. (Controller) Referred to Finance Committee.

File 101-97-047. [Appropriation/Settlement of Lawsuit, Fire Dept.] Ordinance appropriating \$900,000, Fire Department, from the General Fund Litigation Reserve balance to claims and judgments, for fiscal year 1997-98 and authorizing settlement of litigation between Odell Braun and the City and County of San Francisco (Superior Court Case No. 969-799), by payment of \$900,000 plus 8.5% simple interest to accrue beginning December 16, 1997. RO #97168. (Controller) Referred to Finance Committee.

File 102-97-013. [Salary Ordinance Amendment] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Service, reflecting the creation of nine (9) positions; companion measure to File 101-97-38. (Department of Human Resources) Referred to Finance Committee.

File 102-97-014. [Salary Ordinance Amendment] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Human Resources, reflecting the net creation of 128 new positions; companion measure to File 101-97-39. (Department of Human Resources) Referred to Finance Committee.

File 102-97-015. [Salary Ordinance Amendment, DPH-SFGH] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Network, reflecting the net creation of 5.24 new positions; companion measure to File 101-97-40. (Department of Human Resources) Referred to Finance Committee.

File 102-97-016. [Salary Ordinance Amendment] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Service, reflecting the creation of 28.2 new positions; companion measure to File 101-97-45. (Department of Human Services) Referred to Finance Committee.

File 172-97-077.01. [Competitive Bidding Exemption] Ordinance waiving competitive bid requirements for the Recreation and Park Commission's award of contracts to the San Francisco Conservation Corps for renovation of play areas at Gilman Playground and Herz Playground. (Recreation and Park Department) Referred to Finance Committee.

Resolutions Referred to Committee

File 025-97-017. [Prop J Contract, Intake and Shelter Services] Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department) Referred to Finance Committee.

File 027-97-012. [Federal Grant - Airport] Resolution authorizing Airport Commission to file grant application, and accept and expend grant of \$360,000 from the Federal Aviation Administration for the K-Explosives Detection Program. (Mayor) Referred to Finance Committee.

File 028-97-010. [Emergency Repair, Pier 1-1/2 Building] Resolution approving a declaration of emergency for architectural and engineering services to repair a collapsed wall of the Pier 1-1/2 Bulkhead building, Port of San Francisco - \$240,000. (Port Commission) Referred to Finance Committee.

File 061-97-006. [Contract Award Extension, Hetch Hetchy] Resolution approving Contract Modification No. 2 and granting extension of time for completion of Hetch Hetchy Contract No. HH-853, Tuolumne Meadows Sewer (Collection System) Rehab - Phase II. (Public Utilities Commission) Referred to Economic Development, Transportation and Technology Committee.

File 107-97-004. [Indigent Adult Programs] Resolution approving the creation of three (3) new county programs (Personal Assisted Employment Services, County Assistance Linked to Medi-Cal and SSI Pending), to serve adult indigent San Francisco residents and changes to the existing General Assistance Program. (Mayor) Referred to Housing and Neighborhood Services Committee.

File 107-97-005. [CalWORKS Plan] Resolution approving the City's CalWORKS Plan as prepared by the Department of Human Services for submission to the State Department of Social Services. (Mayor) Referred to Housing and Neighborhood Services Committee.

File 146-97-016.01. [Amend Acceptance/Expenditure, State Grant Funds] Resolution authorizing the amendment of Schedule A, Resolution No. 950-97, acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for 1997-98. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 146-97-023. [Grant - Corporation for Supportive Housing] Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend retroactively a grant of \$80,000 from the Corporation for Supportive Housing, for primary health care and client centered treatment and case management services; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 156-97-003. [Private Industry Council Refugee County Plan] Resolution authorizing the Private Industry Council of San Francisco, Inc. to expend approximately \$108,055 of unspent funds and \$121,269 of targeted assistance 20% discretionary funds in line with the Refugee County Plan. (Private Industry Council) Referred to Economic Development, Transportation and Technology Committee.

File 172-97-077. [Prevailing Wage Requirements] Resolution exempting the San Francisco Conservation Corps from the prevailing wage requirements for the contracts to renovate the play areas at Gilman Playground and Herz Playground; companion measure to File 172-97-77.1. (Recreation and Park Department) Referred to Finance Committee.

File 172-97-078. [Amendment, 3COM Park Parking Lot Agreement] Resolution approving a Second Amendment to the 3COM (Candlestick) Park Parking Lot Operating Agreement between the City and County of San Francisco and the San Francisco Giants extending the agreement until December 31, 1999 to coincide with the amended stadium lease between the City and the San Francisco Giants unless the parties agree to further extend the agreement due to force majeure in the construction of Pacific Bell Park and adding new provisions required under City ordinances and deleting a provision no longer required under City ordinance. (Recreation and Park Department) Referred to Finance Committee.

File 172-97-079. [Indemnification Agreement, DPH-UCSF] Resolution authorizing the Director of Health to execute an agreement with the Regents of the University of California, San Francisco, for the provision of clinical and quality assurance services by a medical director and assistant medical director for the Fire Department's emergency medical services, including an indemnification provision and an exception and waiver to Chapter 12B, as approved by the Human Rights Commission. (Department of Public Health) Referred to Housing and Neighborhood Services Committee.

File 278-97-001. [Mayor's Criminal Justice Council] Resolution amending Resolution No. 414-89, as amended, to name changes (facilitated by the City Charter) of member departments of the Council and Executive Committee of the Mayor's Criminal Justice Council. (Mayor's Criminal Justice Council) Referred to Rules Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that letter be sent to all City departments inquiring into their customer service practices over the last twelve months, and provide to the Board of Supervisors a customer service plan for the next twelve months with the recommendation that this plan focus on courteous, quick, accurate and accessible customer service.

By Supervisor Katz, that letter be sent to all City departments inquiring into the status of their departmental efforts with respect to addressing the year 2000 problem. (Copy of response to Director of Committee of Information Technology, Mr. Ed Harrington.)

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Yori Wada (Entire Board)
Virginia Ann Boreman (Supervisor Kaufman)
James E. Casassa (Supervisor Bierman)
Wayne Corbitt (Supervisor Ammiano)
David Bell (Supervisors Ammiano, Katz, Bierman)
Ilene Sapp (Supervisors Brown, Bierman)
Marilyn O'Keeffe (Supervisor Katz)
Daljeet Ghotra (Supervisor Newson)

File 2-97-46

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:45 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 9, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, December 15, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 15, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Amiano, Bierman, Katz, Kaufman, Medina, Newsom, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Brown, Leal, Yee - 3.

Quorum present.

Supervisor Brown was noted present at 2:03 p.m.

Supervisor Leal was noted present at 2:04 p.m.

Supervisor Yee was noted present at 2:04 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Public Transportation Commission]

Ordinance appropriating \$1,364,564, Public Transportation Commission, of Safe Harbor Lease Revenue to provide additional funding for the Advanced Train Control System Project for fiscal year 1997-98. (Controller)

File 101-97-22, Ordinance No. 468-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Airport Commission]

Ordinance appropriating \$4,000,000, Airport Commission, from Fund Balance, to reduce estimated landing fees and rental revenues pursuant to Lease and Use Agreement between San Francisco Airport and various airlines, for fiscal year 1997-98. (Controller)

File 101-97-26, Ordinance No. 469-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Mayor's Office]

Ordinance appropriating \$800,000, Mayor's Office, of Citizen's Option for Public Safety (COPS) Program Revenue, to implement part of the comprehensive juvenile justice action plan and to fund the start up costs of five pilot programs for fiscal year 1997-98; subject to certain conditions. (Controller)

File 101-97-30, Ordinance No. 458-97

Finally passed.

[Appropriation, Mayor's Office]

Ordinance appropriating \$100,000, Mayor's Office, from the General Fund Reserve-Youthline for the implementation of the Youthline Program for fiscal year 1997-98. (Supervisor Kaufman)

File 101-97-33, Ordinance No. 459-97

Finally passed.

[Benefits for Court Employees]

Ordinance amending Ordinance No. 289-96, which sets schedules of compensation and other economic benefits for fiscal year 1997-98 for certain classifications of persons employed by the Municipal Court for the City and County, by adding certain retirement benefits for Court Reporters. (Municipal Court)

File 106-96-3.1, Ordinance No. 460-97

Finally passed.

Passed for Second Reading

[Santa Clara County District Transit v. CCSF]

Ordinance authorizing settlement of litigation of Santa Clara County Transit District against the City and County by payment of \$51,800. (City Attorney)

File 45-97-127, Ordinance No.

(Santa Clara County Superior Court No. CV 762485.)

Passed for second reading.

Adopted

[Lease Renewal, Three Parking Lots]

Resolution authorizing three renewal leases for parking lots located in the vicinity of Sixth and Harrison Streets described as SFX80-21, SFX80-22, and SFX80-23 (Caltrans property), for the Police Department and Sheriff retroactive to September 1, 1997. (Real Estate Department)

File 64-97-19, Resolution No. 1126-97

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Sidewalk Width Regulations, Irving Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1540 to change the official sidewalk width on Irving Street between Arguello Boulevard and Second Avenue, as shown on the Department of Public Works drawing labeled Q-20-480, making findings pursuant to the General Plan and Planning Code Section 101.1, and requesting other official action in connection therewith. (Department of Public Works)

File 34-97-6, Ordinance No. 461-97

Finally passed.

[Senior Housing Special Use District]

Ordinance amending Planning Code to create a Senior Housing Special Use District at Scott and Post Streets consisting of Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681; finding consistency with Planning Code Section 101.1; companion measure to Files 115-97-4.1, 115-97-5, 36-97-1, 36-97-2. (Supervisors Kaufman, Leal, Bierman, Katz, Teng, Medina, Yaki, Newsom, Ammiano, Brown)

File 115-97-4, Ordinance No. 472-97

(Adds Section 249.20.)

Finally passed.

[Scott Street Senior Housing, Height and Bulk]

Ordinance amending Planning Code to create special height and bulk exceptions for the Scott Street Senior Housing Special Use District at Scott and Post Streets on Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681; finding consistency with Planning Code Section 101.1; companion measure to Files 115-97-4.1, 115-97-4, 36-97-1, 36-97-2. (Supervisors Kaufman, Leal, Bierman, Katz, Medina, Teng, Yaki, Newsom, Ammiano, Brown)

File 115-97-5, Ordinance No. 473-97

(Adds Section 263.15.)

(October 23, 1997 - Approved by Planning Commission Resolution No. 14481.)

Finally passed.

[Zoning Map Amendment, Scott Street Senior Housing]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of property located at Scott and Post Streets of Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681 from RH-3 (Residential, House, Three Family) District and NC-3 (Moderate-Scale Neighborhood Commercial) District to RH-3 (Residential, House, Three Family) District and NC-3 (Moderate-Scale Neighborhood Commercial) District and the Scott Street Senior Housing Special Use District; finding consistency with Planning Code Section 101.1; companion measure to Files 115-97-4.1, 115-97-4, 115-97-5, 36-97-2. (Supervisors Kaufman, Leal, Bierman, Katz, Medina, Teng, Yaki, Newsom, Ammiano, Brown)

File 36-97-1, Ordinance No. 462-97

(October 23, 1997 - Approved by Planning Commission Resolution No. 14481.)

Finally passed.

[Zoning Map Amendment, Scott Street Senior Housing]

Ordinance adopting changes in property height and bulk classification as amendment to the Zoning Map of property located in the Scott Street Senior Housing District on Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681 from 50-X and 65-A Districts to 50-X/70-J and 65-A/70-J; finding consistency with Planning Code Section 101.1; companion measure to Files 115-97-4.1, 115-97-4, 115-97-5, 36-97-1. (Supervisors Kaufman, Leal, Bierman, Katz, Medina, Teng, Yaki, Newsom, Ammiano, Brown)

File 36-97-2, Ordinance No. 463-97

(October 23, 1997 - Approved by Planning Commission Resolution No. 14481.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Kennedy, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of plaintiffs Sarah Kennedy and Heather Piccone against the City and County by payment of \$137,581.69. (City Attorney)

File 45-97-124, Ordinance No. 464-97

(Superior Court No. 973-096.)

Finally passed.

[Humberto Garcia v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Humberto Garcia against the City and County by payment of \$139,000 plus waiver of San Francisco General Hospital lien of \$15,589.83. (City Attorney)

File 45-97-125, Ordinance No. 465-97

(Superior Court No. 968-854.)

Finally passed.

[Jeff Edwards v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jeff Edwards v. City and County, et al., by payment of \$110,000. (City Attorney)

File 45-97-126, Ordinance No. 466-97

(United States District Court No. C96-2263 PJH.)

Finally passed.

[Claims Deadlines]

Ordinance amending Administrative Code to change the deadline for filing claims for death or injury to the person or to personal property or growing crops from 100 days to six months. (Clerk of the Board)

File 97-97-64, Ordinance No. 467-97

(Amends Section 10.20-3.)

Finally passed.

Recommendations of Economic Development, Transportation
and Technology Committee

Adopted

[Grant - State Funds]

Resolution authorizing the Executive Director, Department of Parking and Traffic, to retroactively apply for, accept and expend a grant of \$215,000 of fiscal year 1997-98 California Office of Traffic Safety (OTS) funds for a new staff position to oversee a Bicycle and Pedestrian Safety Program. (Department of Parking and Traffic)

File 192-97-5, Resolution No. 1141-97

Adopted.

[Grant - Federal Funds]

Resolution authorizing Executive Director, Department of Parking and Traffic, to retroactively apply for, accept and expend a grant in Federal funds in the amount of \$372,086 for two traffic and bicycle safety projects; providing for ratification of action previously taken. (Department of Parking and Traffic)

File 192-97-6, Resolution No. 1142-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Leal, Yee - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Appropriation, District Attorney]

Ordinance appropriating \$117,639, District Attorney, of General Fund Bad Check Recovery Revenues, for the creation of three and a half (3.5) positions for fiscal year 1997-98, subject to certain conditions; companion measure to File 102-97-9. (Controller)

File 101-97-28, Ordinance No. 470-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ordinance Amendment, District Attorney]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), District Attorney, reflecting the creation of 3.5 new positions; companion measure to File 101-97-28. (Department of Human Resources)

File 102-97-9, Ordinance No. 471-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Sidewalk and Encroachment Permit Appeals]

Ordinance amending the Public Works Code to provide that appeals from sidewalk and encroachment permit decisions relating to building construction, rehabilitation or maintenance may be appealed to either the Building Inspection Commission or the Board of Supervisors; provided however that appeals to the Board of Supervisors waive the right of appeal to the Building Inspection Commission. (Supervisor Kaufman)

File 123-97-6, Ordinance No. 474-97

(Amends Section 723.2.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Mayor's Office]

Ordinance appropriating and rescinding \$76,258, Mayor's Office, for salaries and fringe benefits and for the creation of two (2) positions for fiscal year 1997-98; companion measure to File 102-97-10. (Controller)

File 101-97-31, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ordinance Amendment, Mayor's Office]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Mayor's Office, reflecting the creation of two (2) positions (Class 1363 Special Assistant IV and 1369 Special Assistant X); companion measure to File 101-97-31. (Department of Human Resources)

File 102-97-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appropriation, Public Utilities Commission]

Ordinance appropriating \$1,648,000, Public Utilities Commission, from Cleanwater Fund balance to claims and judgments, PUC-Cleanwater Program, for fiscal year 1997-98 and authorizing settlement of litigation of Walter and Ramona Yee against the City and County; companion measure to File 45-97-123. (Controller)

File 101-97-32, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Yee v. CCSF]

Ordinance authorizing settlement of litigation of Walter and Ramona Yee against the City and County by payment of \$1,648,000; companion measure to File 101-97-32. (City Attorney)

File 45-97-123, Ordinance No.

(Superior Court No. 980-740.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Street Closure Fee Waiver]

Ordinance waiving fees charged by the City and County for the closure of streets (Larkin Street between Eddy and O'Farrell Streets, and Ellis Street between Polk and Hyde Streets) for the 1997 TET Festival; the TET Festival, sponsored by the Vietnamese Community Center of San Francisco, is a celebration of the Vietnamese New Year. (Supervisor Yee)

File 42-97-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Employee Claims - Payment Approval]

Ordinance amending Administrative Code, dealing with non-uniformed employee claims for damaged and stolen property, respectively, providing that such claims shall be approved by the department head, or, for claims in excess of \$1,000, by the Department head, the Controller and the Board of Supervisors; and repealing Sections 10.25-8 and 10.25-9. (Supervisors Kaufman, Medina)

File 97-97-44, Ordinance No.

(Repeals Sections 10.25-8 and 10.25-9;
adds new Sections 10.25-8 and 10.25-9.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Adopted

[Prop J Contract, Intake and Shelter Services]

Resolution retroactively concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department)

File 25-97-17, Resolution No. 1123-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Lease Agreement, Port/Kelly's Mission Rock, LLC]

Resolution approving lease agreement with Kelly's Mission Rock, LLC, a California limited liability company and the City and County operating by and through the Port Commission for the Mission Rock Resort Restaurant located at 817 Terry Francois Boulevard; subject to certain conditions. (Port)

File 65-97-15, Resolution No. 1127-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Property Acquisition, 20 Lessing Street]

Resolution approving and authorizing an agreement for purchase and sale of real property in the Excelsior-Cayuga District generally described as 20 Lessing Street, Lot 1 in Assessor's Block 7160, for open space purposes and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 84-97-6, Resolution No. 1128-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Citywide Emergency Radio System Financing]

Resolution approving the issuance of Lease Revenue Bonds (not to exceed \$35,000,000) of the City and County Finance Corporation; approving the execution and delivery of a site lease agreement between the City and County, as lessor, and the City and County Finance Corporation, as lessee, relating to certain police, fire, and health facilities located in the City (as further described in this resolution); approving the execution and delivery of a lease and option to purchase between the corporation, as lessor, and the City, as lessee, relating to the property (including certain indemnification provisions therein); approving the execution and delivery of an indenture of trust among the corporation, the City and the trustee; approving the execution and delivery of a continuing disclosure certificate relating to said Bonds; approving the circulation of an official statement relating to said Bonds; ratifying previous actions taken in connection with the foregoing matters; adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1; and authorizing the taking of appropriate actions in connection therewith. (Mayor)

File 170-97-11, Resolution No. 1115-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

From Finance Committee Without Recommendation

Consideration Continued

[Appropriation, Office of Citizen Complaints]

Ordinance appropriating \$147,216, Office of Citizen Complaints-Police Department (\$71,683 from General Reserve-Office of Citizen Complaints and \$75,533 from San Francisco International Airport Reserve Fund) for salaries, fringe benefits, rent, other current expenses, materials and supplies, equipment and services of other department and for the creation of three (3) positions, for fiscal year 1997-98; companion measure to File 102-97-12. (Mayor Willie L. Brown, Jr.)

File 101-97-36, Ordinance No.

Supervisor Newsom, seconded by Supervisor Ammiano, moved to continue consideration to December 22, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Annual Salary Ordinance 307-97 reflecting the creation of three new positions in the Police Department, Office of Citizen Complaints. (Mayor Willie L. Brown, Jr.)

File 102-97-12, Ordinance No.

Supervisor Newsom, seconded by Supervisor Ammiano, moved to continue consideration to December 22, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Economic Development, Transportation
and Technology Committee

Adopted

[Contract Award Extension, Hetch Hetchy]
Resolution approving Contract Modification No. 2 and granting extension of time for completion of Hetch Hetchy Contract No. HH-853, Tuolumne Meadows Sewer (Collection System) Rehab - Phase II; retroactive to October 2, 1997. (Public Utilities Commission)

File 61-97-6, Resolution No. 1125-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Grant - Federal Funds]
Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant of Federal funds in the amount of \$1,605,500 for two traffic and bicycle safety projects; putting contract costs on reserve; providing for ratification of action previously taken. (Department of Parking and Traffic)

File 192-97-7, Resolution No. 1143-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Piazzoni Murals]
Resolution urging the Asian Art Commission to protect and preserve the Piazzoni paintings currently located in the old Main Library by removing them from the building before major construction begins and urging the Asian Art Commission to conserve the paintings and explore options for their disposition. (Supervisors Yaki, Teng, Yee, Katz)

File 197-97-1.2, Resolution No. 1144-97

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisors Ammiano, Bierman - 2.

[Grant, MUNI Advanced Train Control System Project]
Resolution authorizing the Public Transportation Commission to apply for, accept and expend \$3,182,282 of State Clean Air and Transportation Improvement Act Bond funds and \$3,553,154 of State Flexible Congestion Relief Transportation Improvement Act Bond funds for the replacement of Municipal Railway subway signal system waiving indirect costs. (Public Transportation Commission)

File 213-97-2, Resolution No. 1145-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading as Amended

(Supervisor Newsom excused from voting in Committee.)

[Eviction Moratorium on Owner Move-Ins]
Ordinance amending Administrative Code to prohibit, except under narrow circumstances, owner/relative move-in evictions that would result in the displacement of residential tenants who are 60 years of age or older or disabled and have been residing in the same rental unit for 10 years or more, or who are catastrophically ill and have been residing in the same rental unit for 5 years or more; this temporary moratorium would be in effect through June 30, 1999; and making technical non-substantive changes. (Supervisors Teng, Ammiano, Bierman, Medina)

File 109-97-4, Ordinance No.

(Amends Section 37.9.)

Supervisors Kaufman, Newsom, Yee Excused from Voting

The Clerk announced that Supervisors Kaufman, Newsom, and Yee requested to be excused from voting because of a possible conflict of interest.

Supervisor Ammiano, seconded by Supervisor Bierman, moved to excuse Supervisors Kaufman, Newsom, and Yee from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Supervisor Teng, seconded by Supervisor Medina, moved an amendment of the whole bearing same title.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki - 8.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki - 8.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

Adopted

[San Francisco Lighting Policy]

Resolution urging the Public Utilities Commission to adopt the modification to its street lighting guidelines currently before it and consider a white light source or metal halide lamps as an alternative street lighting source and to develop long-term strategic plan to light the streets of San Francisco to increase pedestrian safety, commercial activity, and to enhance civic beauty. (Supervisors Teng, Bierman, Katz)

File 191-97-2, Resolution No. 1139-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Metal Halide Lamp Pilot Projects]

Resolution urging the Public Utilities Commission, the Department of Public Works, the Recreation and Park Department and the Pacific Gas and Electric Company to coordinate efforts to install a white light source or metal halide lamps in Chinatown, Union Square and Civic Center Plaza as neighborhood pilot projects. (Supervisors Teng, Bierman, Katz)

File 191-97-2.1, Resolution No. 1140-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Rules Committee

Adopted

[Evening Board Meeting]

Resolution scheduling the May 11, 1998, Board meeting of the San Francisco Board of Supervisors in the evening in order to encourage public participation. (Supervisors Katz, Teng, Newsom, Ammiano, Bierman, Brown)

File 54-97-10, Resolution No. 1124-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointment]

Resolution appointing member to the Airport Noise Committee, term expired, for new three-year term ending September 30, 1999. (Rules Committee)

File 92-96-45.4, Resolution No. 1117-97

(Curt Holzinger, succeeding Don Bertone, Seat No. 20508, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee, for new four-year term ending July 1, 2001. (Rules Committee)

File 92-97-25.2, Resolution No. 1130-97

(Ross A. Tibbits, succeeding Thomas Bernard, Seat No. 22620, open seat, no requirement, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing members to the newly established Immigrant Rights Commission, pursuant to Ordinance No. 211-97. (Rules Committee)

File 92-97-27, Resolution No. 1131-97

(Philip Tuong Duy Nguyen;
Dr. Anita Friedman;
Samuel Assefa.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for new two-year terms ending July 15, 1999. (Rules Committee)

File 92-97-32.4, Resolution No. 1132-97

(Carol Lane, succeeding herself, Seat No. 23314, from list of organizations;
Maurice Campbell, succeeding Jean Comaskey, Seat No. 23315, from list of organizations;
Gregory Rocca, succeeding Willa Sims, Seat No. 23316.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointment]

Resolution appointing member to the Local Homeless Coordinating Board; for indefinite term. (Rules Committee)

File 92-97-47.2, Resolution No. 1133-97

(Jennifer Grant, Seat No. 30705, Service Provider.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as Amended

(Supervisor Brown excused from voting in Committee.)

[Appointment]

Resolution appointing Supervisor Amos Brown as a member of the Association of Bay Area Governments, Executive Board, for unexpired portion of two-year term ending June 30, 1999. (Rules Committee)

File 92-97-52, Resolution No. 1134-97

(Supervisor Amos Brown, succeeding Supervisor Susan Leal, Seat No. 10302, regular position, resigned.)

Supervisor Brown Excused from Voting

The Clerk announced that Supervisor Brown requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Medina, moved to excuse Supervisor Brown from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Supervisor Yaki, seconded by Supervisor Newsom, moved to amend line 9 to add "effective Noon, January 8, 1998."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Excused: Supervisor Brown - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Excused: Supervisor Brown - 1.

(Supervisor Yee excused from voting in Committee.)

[Appointment]

Resolution appointing Supervisor Leland Yee as a member of the Association of Bay Area Governments, Executive Board, for unexpired portion of two-year term ending June 30, 1999. (Rules Committee)

File 92-97-52.1, Resolution No. 1135-97

(Supervisor Leland Yee, succeeding Supervisor Amos Brown, Seat No. 10304, alternate member, resigned.)

Supervisor Yee Excused from Voting

The Clerk announced that Supervisor Yee requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Medina, moved to excuse Supervisor Yee from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Supervisor Yaki, seconded by Supervisor Newsom, moved to amend Line 9 to add "effective Noon, January 8, 1998."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 10.

Excused: Supervisor Yee - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 10.

Excused: Supervisor Yee - 1.

Adopted

[Appointments]

Resolution appointing Governing Board Members to the San Francisco Health Authority, for new three-year terms ending January 15, 2001. (San Francisco Health Plan)

File 92-97-53, Resolution No. 1136-97

(Maria Luz Torre, succeeding Libah Sheppard, Seat No. 50610, must be nominee of San Francisco Health Authority Beneficiary Committee;
Josie Mooney, succeeding herself, Seat No. 50609, must be nominee of San Francisco Labor Council;
Judith Mates, M.D., succeeding herself, Seat No. 50608, must be nominee of San Francisco Medical Society;
Thomas Harlan, succeeding himself, Seat No. 50602, must be nominee of Westbay Hospital Conference.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointment]

Resolution appointing Supervisor Michael Yaki as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, for unexpired portion of two-year term ending January 31, 1999. (Rules Committee)

File 92-97-54, Resolution No. 1137-97

(Supervisor Michael Yaki, succeeding Supervisor Susan Leal, Seat No. 50307, resigned.)

Supervisor Yaki Excused from Voting

The Clerk announced that Supervisor Yaki requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Medina, moved to excuse Supervisor Yaki from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Supervisor Yaki, seconded by Supervisor Newsom, moved to amend line 9 to add "effective Noon, January 8, 1998."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Excused: Supervisor Yaki - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Excused: Supervisor Yaki - 1.

[Proposition O Meeting]

Motion ordering a special meeting of the Housing and Neighborhood Services Committee of the San Francisco Board of Supervisors be held on January 15, 1998, at 6:00 p.m. in the secular, community meeting room of the First Union Baptist Church, 1001 Webster Street. (Supervisor Brown)

File 54-97-11.1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Robert, general issues;
Michael Levin, oppose elevator structure at Hallide Plaza;
George Williams, 911 program.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commendation - Filipino-American Democratic Club]
Resolution commending the Filipino-American Democratic Club for its efforts to raise political awareness in the Filipino-American community. (Supervisors Yaki, Kaufman, Bierman, Katz)

File 6-97-214, Resolution No. 1118-97

(December 8, 1997 - Introduced in Board for consideration on December 15, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commendation, NICOS]
Resolution commending NICOS for its work in the Chinese community Health Study and urging the Department of Public Health to collaborate with NICOS to provide a more inclusive and comprehensive health care for San Francisco residents, including people with low-income and language barrier and urging the Department of Public Health and other private and/or public funding agencies to put resources in the research and development for the treatment of the compulsive gamblers. (Supervisors Teng, Bierman, Katz)

File 6-97-215, Resolution No. 1119-97

(December 8, 1997 - Introduced in Board for consideration on December 15, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commendation, Pets Unlimited]
Resolution recognizing Pets Unlimited on the occasion of its fiftieth anniversary and commending the organization, its founders, and staff for their contributions to the people of the City and County and their pets. (Supervisors Kaufman, Katz)

File 6-97-216, Resolution No. 1120-97

(December 8, 1997 - Introduced in Board for consideration on December 15, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Red Light Camera Enforcement]
Resolution urging the California State Legislature to enact enabling legislation which will allow municipalities to classify as a non-moving violation the offense of running a red light when the ticket is issued as a result of a controlled intersection red light camera identifying the car but not the driver. (Supervisors Newsom, Leal, Bierman, Katz)

File 12-97-37, Resolution No. 1121-97

(December 8, 1997 - Introduced in Board for consideration on December 15, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Supporting Federal Legislation/Gasoline MTBE]

Resolution declaring support of the City and County for Federal legislation to reduce or eliminate the level of the gasoline additive Methyl Tertiary Butyl Ether (MTBE) in order to reduce possible carcinogenic and other potential health hazards in groundwater and underground potable water supplies. (Supervisors Bierman, Katz)

File 13-97-41, Resolution No. 1122-97

(December 8, 1997 - Introduced in Board for consideration on December 15, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Red Light Camera Funding]

Resolution urging the Mayor and the Parking and Traffic Commission to approve a request for supplemental budget appropriation for revenue neutral funding for the administration of an expanded Red Light Photo Enforcement Program; also urging the Controller to track revenues and expenditures from funds generated by red light enforcement which is used to fund the Red Light Photo Enforcement and related safety programs. (Supervisors Newsom, Leal, Bierman, Katz)

File 88-97-3., Resolution No. 1129-97

(December 8, 1997 - Introduced in Board for consideration on December 15, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Grant Application-Special Advocate]

Resolution approving San Francisco Court appointed Special Advocate (SFCASA) submission of grant application to the Judicial Council Court-Appointed Special Advocate. (Supervisors Yaki, Katz)

File 279-97-1, Resolution No. 1116-97

(December 8, 1997 - Introduced in Board for consideration on December 15, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[San Francisco Citywide One Less Gun Campaign]

Resolution endorsing and supporting San Francisco's Citywide One Less Gun Campaign. (Supervisors Brown, Kaufman, Bierman, Katz)

File 280-97-1, Resolution No. 1146-97

(December 8, 1997 - Introduced in Board for consideration on December 15, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Closed Sessions for Assessing Merit]

Ordinance amending Administrative Code Chapter 67, the San Francisco Sunshine Ordinance, by amending Section 67.10 to allow executive compensation committee to meet in closed session when evaluating an employee's performance to determine whether to award merit increases in compensation. Supervisor Kaufman presented. Referred to Finance Committee.

File 097-97-074.

[Littering and Dumping Fines-Increase]

Ordinance amending Police Code, Section 37; Health Code, Sections 95.5, 283.1 and 287; and Public Works Code, Sections 170 and 173 thereof to increase fines for violations of provisions relating to littering, dumping and environmental control. Supervisor Brown presented. Referred to Finance Committee.

File 121-97-011.

Referred to Board

[Commending the Omega Boys Club]

Resolution commending the Omega Boys Club for leading our youth away from violence and despair and towards peace, productivity and hope. Supervisors Brown, Bierman, Katz, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar December 22, 1997.

File 006-97-217.

[Designating Willie Mays Plaza]

Resolution urging the City Administrator to urge the Department of Public Works to initiate procedures to name the area in front of Pacific Bell Park's main King Street entrance Willie Mays Plaza. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar December 22, 1997.

File 075-97-003.

[Discount Muni Fast Pass on BART]

Resolution urging the Public Transportation Commission to negotiate with BART to allow use of the discount fast pass for seniors and people with disabilities on BART trips within San Francisco. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar December 22, 1997.

File 080-97-001.

[Street Construction Contamination Reduction]

Resolution decreasing the impact on school children of airborne particulate and toxic substances created by street construction during school commute hours. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar December 22, 1997.

File 211-97-006.

Referred to Committee

[Treasure Island Development Authority]

Resolution designating the Treasure Island Development Authority as the Redevelopment Agency and Local Reuse Authority for the conversion of Naval Station Treasure Island. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 244-97-007.

Referred to Board

[Domestic Partner Benefits-California State Univ.]

Resolution urging the California State University system to adopt domestic partner benefits throughout its 20-campus system. Supervisors Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 22, 1997.

File 288-97-001.

Charter Amendments:

Referred to Committee

[Charter Amendment-Board Members Salary]

Charter Amendment (First Draft) amending Charter Section 2.100 to increase the salary of members of the Board of Supervisors from \$23,924 per year to \$39,929. Supervisor Ammiano presented. Referred to Rules Committee.

File 285-97-001.

[Charter Amendment-Loans From State/Federal Govt.]

Charter Amendment (First Draft) amending Charter Section 9.111 and adding Section 9.111-1 to authorize the City and County and its commissions to clarify the general authority of the City and County and its commissions to incur and refund any indebtedness and to authorize the City and County and its commissions to enter into cost effective loans or other indebtedness with the State of California or the Federal government. Supervisor Kaufman presented. Referred to Rules Committee.

File 286-97-001.

[Charter Amendment-Water Department Revenue Fund]

Charter Amendment (First Draft) amending Charter Section 16.103 thereof and adding Section 16.103-1 thereto, to (1) establish a separate revenue fund for the deposit of revenues generated from the Water Department, and (2) provide a priority schedule for expenditures paid from this fund. Supervisor Kaufman presented. Referred to Rules Committee.

File 287-97-001.

Requests for Hearings:

[Child Care System in San Francisco]

Hearing to consider the system of child care in San Francisco, including plans for meeting the child care needs caused by the implementation of CalWorks, as well as the systemic challenges that face all parents who need child care. Supervisor Yee presented. Referred to Health, Family and Environment Committee.

File 185-97-004.

[Status of Children's Mental Health System]

Hearing to consider the status of the children's mental health system in San Francisco, including availability and types of services offered, accessibility to services, gaps in services, and future needs of the system. Supervisor Yee presented. Referred to Health, Family and Environment Committee.

File 185-97-005.

[Public Oversight Zoological Society]

Hearing to consider the public oversight of fiscal decisions made by the San Francisco Zoological Society. Supervisors Newsom, Bierman presented. Referred to Finance Committee.

File 289-97-001.

[Fire in Hunters Point]

Hearing to consider the issue of whether the composition of materials utilized in the construction of public housing facilities contributed to the blaze that killed five children and one adult and the cause of a delay by the 911 dispatch center to dispatch the Fire Department which arrived 3 minutes and 23 seconds after receiving the call. Supervisors Ammiano, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 290-97-1.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar December 22, 1997.

File 030-97-001.24.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-97-035. [Appropriation, Courthouse] Substitute ordinance appropriating \$1,235,093, Department of Public Works, from the General Fund Reserve for the new Civic Center Courthouse operations, maintenance and custodial services and the creation of fourteen (14) positions; companion measure to File 102-97-11. RO #97156. (Mayor) Referred to Finance Committee with request it be considered at the December 17, 1997 meeting.

File 101-97-054. [Appropriation, Department of Public Works] Ordinance appropriating \$10,790,000, including \$7,000,000, Department of Public Works, from Earthquake Safety Improvement Fund interest earned and rescinding and appropriating \$3,790,000 from various projects, to fund the cost of construction of new utility systems at the San Francisco Zoo for fiscal year 1997-98. RO #97167. (Controller) Referred to Finance Committee.

File 102-97-011. [Salary Ordinance Amendment, Dept of Public Works] Substitute ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Public Works, reflecting the creation of fourteen (14) positions; companion measure to File 101-97-35. (Department of Human Resources) Referred to Finance Committee with request it be considered at the December 17, 1997 meeting.

Resolutions Referred to Committee

File 028-97-011. [Emergency Repairs, Water Treatment Plant] Resolution approving expenditure of funds for San Francisco Water Department emergency procurement and repairs for Water Treatment Plant Operations. (Also see File 28-97-2). (Public Utilities Commission Referred to Finance Committee.

File 064-97-020. [Lease Amendment, 480 Second Street] Resolution authorizing amendment to a lease of real property at 480 Second Street, San Francisco, for the Office of Citizen Complaints. (Real Estate Department) Referred to Finance Committee.

File 064-97-021. [Lease of Property at 165 Fell Street] Resolution authorizing lease of real property at 165 Fell Street, San Francisco, for the Department of Human Services. (Real Estate Department) Referred to Finance Committee.

File 172-97-080. [Library Fiscal Sponsorship Agreement] Resolution authorizing the acting City Librarian to enter into an agreement with the Friends of the San Francisco Public Library ("Friends") for the Friends to provide fiscal sponsorship services for the library, which agreement requires the City to indemnify the Friends with respect to personnel and activities which receive funding from the Friends under the agreement. (Public Library) Referred to Housing and Neighborhood Services Committee.

File 172-97-081. [Contract, DPH-Western Consortium] Resolution authorizing the Director of Public Health to enter into a subcontract in the amount of \$170,024 with the Western Consortium for public health, the primary contractor, to provide data and information for the Enhanced Hepatitis Surveillance Project to the Centers for Disease Control and Prevention; retroactive to January 1, 1998. (Department of Public Health) Referred to Health, Family and Environment Committee with request it be considered at the January 8, 1998 meeting.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that the Clerk of the Board draft rule change to require members of the Board of Supervisors to submit copy of Senate or Assembly Bills for which that member is endorsing or urging passage along with the appropriate resolution in order to promote efficiency.

By Supervisor Yee, that letter of inquiry be sent to the Controller requesting report detailing how the San Francisco Host Committee and the San Francisco Special Events Committee have expended City funds received during fiscal year 1997-98.

By Supervisors Ammiano, Bierman that City Attorney prepare interim zoning controls, or other mechanisms, that would regulate medicinal marijuana outlets in the City and County of San Francisco.

By Supervisors Ammiano, Bierman that letter of inquiry be sent to the District Attorney regarding the enforcement of Proposition 215 (Medicinal Marijuana) and reaction to the recent court ruling against Proposition 215 and whether he will enforce same.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Fred Volney Hall (Supervisor Kaufman)
John E. Moss (Supervisor Leal)
Dolores Evans and others who lost their lives in the recent Bayview-Hunters Point Fire
(Supervisors Brown, Bierman)
Daljeet Ghotra (Supervisor Newsom)

File 2-97-45

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:41 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 17, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, December 22, 1997

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 22, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisors Leal, Teng - 2.

Quorum present.

Supervisor Leal was noted present at 2:03 p.m.

Supervisor Teng was excused. (See infra.)

Supervisor Teng Excused

The Clerk announced that Supervisor Teng had requested to be excused from attendance because of illness.

Supervisor Yaki, seconded by Supervisor Medina, moved to excuse Supervisor Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Leal, Teng - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Yaki, moved that the Journals of Proceedings for Monday, October 20 and October 27, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Mayor's Office]

Ordinance appropriating and rescinding \$76,258, Mayor's Office, for salaries and fringe benefits and for the creation of two (2) positions for fiscal year 1997-98; companion measure to File 102-97-10. (Controller)

File 101-97-31, Ordinance No. 479-97

Finally passed.

[Salary Ordinance Amendment, Mayor's Office]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Mayor's Office, reflecting the creation of two (2) positions (Class 1363 Special Assistant IV and 1369 Special Assistant X); companion measure to File 101-97-31. (Department of Human Resources)

File 102-97-10, Ordinance No. 481-97

Finally passed.

[Appropriation, Public Utilities Commission]

Ordinance appropriating \$1,648,000, Public Utilities Commission, from Cleanwater fund balance to claims and judgments, PUC-Cleanwater Program, for fiscal year 1997-98 and authorizing settlement of litigation of Walter and Ramona Yee against the City and County; companion measure to File 45-97-123. (Controller)

File 101-97-32, Ordinance No. 480-97

Finally passed.

[Yee v. CCSF]

Ordinance authorizing settlement of litigation of Walter and Ramona Yee against the City and County by payment of \$1,648,000; companion measure to File 101-97-32. (City Attorney)

File 45-97-123, Ordinance No. 476-97

(Superior Court No. 980-740.)

Finally passed.

[Street Closure Fee Waiver]

Ordinance waiving fees charged by the City and County for the closure of streets (Larkin Street between Eddy and O'Farrell Streets, and Ellis Street between Polk and Hyde Streets) for the 1997 TET Festival; the TET Festival, sponsored by the Vietnamese Community Center of San Francisco, is a celebration of the Vietnamese New Year. (Supervisor Yee)

File 42-97-1, Ordinance No. 475-97

Finally passed.

[Santa Clara County District Transit v. CCSF]

Ordinance authorizing settlement of litigation of Santa Clara County Transit District against the City and County by payment of \$51,800. (City Attorney)

File 45-97-127, Ordinance No. 477-97

(Santa Clara County Superior Court No. CV 762485.)

Finally passed.

[Employee Claims - Payment Approval]

Ordinance amending Administrative Code, dealing with nonuniformed employee claims for damaged and stolen property, respectively, providing that such claims shall be approved by the department head, or, for claims in excess of \$1,000, by the Department head, the Controller and the Board of Supervisors; and repealing Sections 10.25-8 and 10.25-9. (Supervisors Kaufman, Medina)

File 97-97-44, Ordinance No. 478-97

(Repeals Sections 10.25-8 and 10.25-9; adds new Sections 10.25-8 and 10.25-9.)

Finally passed.

Recommendations of Health, Family & Environment Committee

Adopted

[State Grant/Amend Acceptance & Expenditure]

Resolution authorizing the amendment of Schedule A, Resolution No. 950-97, acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for 1997-98. (Department of Public Health)

File 146-97-16.1, Resolution No. 1152-97

Adopted.

[Grant/Corporation for Supportive Housing]

Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend retroactively, a grant of \$80,000 from the Corporation for Supportive Housing for primary health care and client centered treatment and case management services; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-97-23, Resolution No. 1153-97

Adopted.

[Contract with Golden Gate Genealogy]

Resolution authorizing the Chief Probation Officer to enter into a contract with Golden Gate Genealogy for the procurement of assets bequeathed to the Youth Guidance Center. (Juvenile Probation)

File 172-97-62, Resolution No. 1157-97

Adopted.

[Diagnostic Treatment Services, Juvenile Ward]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of actions previously taken. (Juvenile Probation)

File 172-97-72, Resolution No. 1158-97

Adopted.

[Emergency Custody, Juvenile Ward of the Court]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with the California Youth Authority for emergency custody of a juvenile ward of the court from the County of San Francisco; providing for ratification of actions previously taken. (Juvenile Probation)

File 172-97-73, Resolution No. 1159-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Passed for Second Reading as Amended

[Appropriation, Mayor's Office of Community Development]

Ordinance appropriating \$94,943, Mayor's Office of Community Development, from the General Fund Reserve-Day Labor Program for professional services at the Mayor's Office for fiscal year ((1997-98)) 1996-97; providing for ratification of action previously taken. (Mayor's Office of Community Development)

File 101-97-48, Ordinance No.

(December 8, 1997 - Consideration continued to December 22, 1997.)

Supervisor Leal, seconded by Supervisor Medina, moved to amend title, line three, and line five by replacing "1997-98" with "1996-97".

Motion to amend adopted by the following vote:

•

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Monday, December 22, 1997

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

From Finance Committee Without Recommendation

Passed for Second Reading as Amended

[Appropriation, Office of Citizen Complaints]

((Ordinance appropriating \$147,216, Office of Citizen Complaints-Police Department (\$71,683 from General Reserve-Office of Citizen Complaints and \$75,533 from San Francisco International Airport Reserve Fund) for salaries, fringe benefits, rent, other current expenses, materials and supplies, equipment and services of other department and for the creation of three (3) positions, for fiscal year 1997-98;)) companion measure to File 102-97-12. (Mayor Willie L. Brown, Jr.)

Ordinance appropriating \$184,936, Office of Citizen Complaints-Police Department (\$109,403 from General Reserve-Office of Citizen Complaints and \$75,533 from San Francisco International Airport Reserve Fund) for salaries, fringe benefits, rent, other current expenses, materials and supplies, equipment and services of other department and for the creation of three (3) positions, for fiscal year 1997-98.

File 101-97-36, Ordinance No.

(December 15, 1997 - Consideration continued to December 22, 1997.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved an amendment of the whole bearing new title as follows: "Ordinance appropriating \$184,936, Office of Citizen Complaints-Police Department (\$109,403 from General Reserve-Office of Citizen Complaints and \$75,533 from San Francisco International Airport Reserve Fund) for salaries, fringe benefits, rent, other current expenses, materials and supplies, equipment and services of other department and for the creation of three (3) positions, for fiscal year 1997-98."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Noes: Supervisor Kaufman - 1.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Noes: Supervisor Kaufman - 1.

Absent: Supervisor Teng - 1.

Passed for Second Reading

[Salary Ordinance Amendment, Police Department]

Ordinance amending Annual Salary Ordinance 307-97 reflecting the creation of three new positions in the Police Department, Office of Citizen Complaints. (Mayor Willie L. Brown, Jr.)

File 102-97-12, Ordinance No.

(December 15, 1997 - Consideration continued to December 22, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Noes: Supervisor Kaufman - 1.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

(Supervisors Kaufman, Newsom, Yee were excused from voting.)
(See Journal of Proceedings of December 15, 1997.)

[Eviction Moratorium on Owner Move-Ins]

Ordinance amending Administrative Code to prohibit, except under narrow circumstances, owner/relative move-in evictions that would result in the displacement of residential tenants who are 60 years of age or older or disabled and have been residing in the same rental unit for 10 years or more, or who are catastrophically ill and have been residing in the same rental unit for 5 years or more; this temporary moratorium would be in effect through June 30, 1999; and making technical non-substantive changes. (Supervisors Teng, Ammiano, Bierman, Medina)

File 109-97-4, Ordinance No. 482-97

(Amends Section 37.9.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki - 7.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Courthouse]

Ordinance rescinding \$1,140,840, Department of Public Works, from the budget of the Trial Courts and reappropriating \$1,140,840 for the New Civic Center Courthouse operations, maintenance, and custodial services and for the creation of eleven (11) positions for fiscal year 1997-98; companion measure to File 102-97-11. (Mayor Willie L. Brown, Jr.)

File 101-97-35, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Salary Ordinance Amendment, Public Works]

Ordinance amending Annual Salary Ordinance 307-97, reflecting the creation of eleven positions in the Department of Public Works; companion measure to File 101-97-35. (Mayor Willie L. Brown, Jr.)

File 102-97-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Department of Human Services]

Ordinance appropriating \$10,851,890, Department of Human Services, of State and Federal Revenues to fund implementation of Welfare Reform Programs, expansion of adoption and homeless programs, and improvement of Department of Human Services facilities, and for the creation of 258 new positions and the deletion of 149 positions, for fiscal year 1997-98; placing on reserve \$1,837,336; companion measure to File 102-97-14. (Controller)

File 101-97-39, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Salary Ordinance Amendment, Department of Human Services]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, Department of Human Services, reflecting the net creation of 107 new positions; companion measure to File 101-97-39. (Department of Human Resources)

File 102-97-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Civic Center Courthouse Security]
Ordinance rescinding \$261,238 Sheriff Department, from budget of the Trial Courts and reappropriating \$261,238 to fund the cost of the 8 additional positions for security needed at the New Civic Center Courthouse for fiscal year 1997-98; companion measure to File 102-97-17. (Trial Courts)

File 101-97-49, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Public Employment, Sheriff's Department]
Ordinance amending Annual Salary Ordinance, 1997/98 reflecting the creation of eight (8) new positions in the Sheriff's Department; companion measure to File 101-97-49. (Department of Human Resources)

File 102-97-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Public Works, City Hall]
Ordinance appropriating \$25,192,702 of City Hall Improvement bond fund proceeds for design and construction of non-seismic improvements at City Hall for the Department of Public Works for fiscal year 1997-98. (Mayor)

File 101-97-50, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[MOU, MEA Airport Police, Bargaining Unit XP3]
Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County for Bargaining Unit XP3 to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-97-4, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[MOU, MEA Fire, Bargaining Unit F3]
Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County for Bargaining Unit F3 to be effective July 1, 1992 through June 30, 1999. (Department of Human Resources)

File 93-97-5, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

(Supervisor Kaufman dissenting in committee.)

[Employee Signature Authorization Ordinance]

Ordinance amending Administrative Code, requiring certain labor representation procedures in hotel or restaurant development projects in which the City has a proprietary interest. (Supervisors Katz, Yaki, Yee, Bierman, Leal, Medina, Teng, Ammiano, Brown)

File 97-97-62, Ordinance No.

(Adds Sections 23.31 through 23.35.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Noes: Supervisor Kaufman - 1.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

[Hotel Tax Fund Reallocation]

Ordinance amending Municipal Code, Part III (Hotel Tax Fund Reallocation), to change the special purpose allocations of hotel tax revenues from percentages to specific dollar amounts, to adjust each allocation annually by the rate of growth or loss in total hotel tax revenues (subject to a 10% cap), and to change the source of funds for the cultural center allocation. (Supervisor Brown)

File 127-97-6.2, Ordinance No.

(Amends Section 515.01.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Real Property Transfer Tax]

Ordinance amending Municipal Code, Part III, (Real Property Transfer Tax), to substitute the Director of Property for the Assessor as a member of the Transfer Tax Review Board. (Supervisor Kaufman)

File 127-97-9, Ordinance No.

(Amends Section 1115.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Taxes, Add Common Administrative Provisions]

Ordinance amending Municipal Code, Part III, (Common Administrative Provision), to add common administrative provisions for the transit occupancy tax, parking tax, utility users tax, emergency response fee, stadium operators tax, payroll expense tax and business tax and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-10, Ordinance No.

(Adds Sections 6.1-1 through 6.23-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Transient Occupancy Tax]

Ordinance amending Municipal Code, Part III, (Tax on Transient Occupancy of Hotel Rooms), relating to definitions, rate of tax, surcharges, redevelopment project areas, exemptions; and by repealing sections relating to registration, returns, deficiency determinations, failure to file return, jeopardy determinations, redeterminations, penalties and interest, collection, administration, Board of Review, savings clause, violations and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-11, Ordinance No.

(Amends Sections 501, 502, 502.5, 502.6, 502.6-1, 502.8, 502.8-1, 506; repeals Sections 507, 508, 509, 510, 511, 512, 513, 514, 515, 515.1, 516, 517 and 518.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Parking Tax]

Ordinance amending Municipal Code, Part III, (Tax on Occupancy of Parking Space in Parking Stations), relating to Parking Tax definitions, imposition and rate of tax, charges subject to tax, surcharge, collection of tax, exemptions and administration; repealing sections concerning registration of operator, returns, deficiency determinations, failure to file return, jeopardy determinations, redeterminations, penalties and interest, collection of tax, savings clause, violations a misdemeanor and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-12, Ordinance No.

(Amends Sections 601, 602, 602A, 602.5, 604, 606 and 615; repeals Sections 607, 608, 609, 610, 611, 612, 613, 614, 616, 617 and 618.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Utility Users Tax]

Ordinance amending Municipal Code, Part III, Article 10 (Utility Users Tax), relating to utility users tax definitions, telephone users, electricity users, gas users, water users, steam users, exemptions, rate adjustments, collection, reporting, records, refunds, failure to pay and purpose; repealing sections concerning exemptions, interest and penalties, failure to collect, Board of Review, residential hotels, regulations, violations, savings clause and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-13, Ordinance No.

(Amend Sections 701, 703, 704, 705, 706, 706.1, 707, 707.2, 708, 709, 713, 714, 715 and 720; repeal Sections 702, 710, 711, 712, 714.1, 716, 718, 721 and 722.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Emergency Response Fee]

Ordinance amending Municipal Code, Part III, (Emergency Response Fee), pertaining to emergency response fee definitions, exemptions and refunds; by repealing sections relating to Appeal, Board of Review, records, rules and regulations, violations; misdemeanor, savings clause and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-14, Ordinance No.

(Amends Sections 751, 754 and 765; repeals Sections 763, 764, 767, 769, 771 and 772.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Stadium Operators Tax]

Ordinance amending Municipal Code, Part III, (Stadium Operator Admission Tax), relating to stadium operators tax definitions and exemptions; by repealing Sections concerning determination of tax due, returns, contents of returns, filing, extension of time, deficiency determinations, interest, offsetting payments, penalties, fraud, service, notice of deficiency determination, no return made, computation, interest, fraud, service, jeopardy determinations, nonpayment, redetermination, time for filing, hearing, alteration of determination, finality of order, time for payment, service, penalties and interest, refund, administration, Board of Review, examination of records, disclosure, savings clause, violations and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-15, Ordinance No.

(Amend Sections 801 and 807;

Repeal Sections 809 through 840, 842, 843 and 844.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Payroll Expense Tax]

Ordinance amending Municipal Code, Part III, (Payroll Expense Tax Ordinance) pertaining to payroll expense tax defining "employee", imposition of tax, rates of tax, apportionment, nexus, small business exemption, enterprise zone credit, new jobs credit, summer youth employment credit and relation to business tax ordinance; by repealing sections relating to defining "City and County", "Person", "Tax Collector", "Taxpayer", smaller business exemption, financial information, duties of tax collector, interest and penalties, amount of penalties, underpayments, jeopardy assessments, overpayments, redetermination, Board of Review, legal actions, misdemeanor, savings clause, exemption, successors or assignees, and failure to withhold; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-16, Ordinance No.

(Amends Sections 902.4, 903, 903.1, 904, 905, 905-A, 906A, 906B, 906C and 917.1; repeals Sections 902.3, 902.7, 902.8, 902.9, 905-B, 907.1, 908, 909, 909.1, 910, 910.1, 911, 912, 913, 914, 915, 916, 917, 918 and 918.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Gross Receipts Tax]

Ordinance amending Municipal Code, Part III, (Business Tax Ordinance), relating to real estate development, fixed place of business, commission merchants, brokers, contractor, hotels, apartments, laundries, cleaners, money lending, personal property rental, other businesses, retail sales, storage, freight forwarding, utilities, transporting persons for hire, trucking, wholesale sales, architects, engineers, nonprofit garage corporations, tax rates, firearms sales, constitutional exemptions, small business exemption, enterprise zone credit, new jobs credit, summer youth employment credit, garment manufacturers credit, registration, fictitious business names, suspension, revocation of certificates, payments, returns; by repealing Sections concerning "City and County" "Person", "Tax Collector", controller's report, smaller business exemption, other exemptions, financial information, penalties, deficiency determinations, jeopardy assessments, no return made, redetermination, penalties, amount of penalties, actions, remedies; duty of successors, failure to withhold, refunds, Tax Collector, Board of Review, records required, examination, payments by mail, confidentiality, severability, violations, licensing, effective dates; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-17, Ordinance No.

(Amends Sections 1002.15, 1004, 1004.01 through 1004.13, 1004.15, 1004.16, 1004.17, 1004.18, 1005, 1005.3, 1005.5, 1005.6, 1005.7, 1005.8, 1007, 1007.3, 1008, and 1009; repeals Sections 1002.4, 1002.8 1002.14, 1004.14, 1005.3-1, 1005.4, 1009.1, 1009.2, 1010, 1010.1, 1011, 1012, 1013, 1013.1, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026 and 1027.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted

[Legal Action for Medical Services]

Resolution authorizing Tax Collector Attorney to institute legal proceedings for the recovery of value of services in the amount of \$77,447.23, at hospital facilities operated by the Department of Public Health. (Treasurer/Tax Collector)

File 166-97-3, Resolution No. 1155-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Delinquent Tax Assessment, Five Star Parking]

Resolution authorizing the Tax Collector to collect the amount of \$78,195.79 from Five Star Parking Partnership, in full satisfaction of the personal property taxes listed in Schedule 1 and directing the Controller to cancel all amounts of taxes, penalties and fees assessed but not collected; and authorizing the Tax Collector to collect the amount of \$176,935.98 plus interest at ten percent (10%) a year payable in monthly installments in full satisfaction of the personal property taxes listed in Schedule 2, and directing the Controller to cancel all tax amounts, delinquency penalties, and fees assessed but not collected. (Treasurer/Tax Collector)

File 166-97-4, Resolution No. 1156-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

Recommendations of Health, Family & Environment Committee

Passed for Second Reading

[Tobacco Advertising and Promotion]

Ordinance amending Police Code, to prohibit the placement of signs advertising or promoting cigarettes or other tobacco products outside or in publicly visible locations in commercial establishments in the City, with certain exceptions, and requiring a notice of correction under certain circumstances before a civil action is filed. (Supervisors Ammiano, Bierman, Teng, Katz, Newsom)

File 121-95-10, Ordinance No.

(Adds Section 674.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Polluting Garden and Construction Equipment]

Ordinance amending Administrative Code, restricting the use of polluting garden and utility equipment on poor air quality days and prohibiting the future purchase of such equipment except under specified circumstances. (Supervisors Leal, Bierman, Newsom)

File 97-97-59, Ordinance No.

(Adds Sections 4.14 and 21.18-6.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

Adopted

[Transitional Housing Placement Program]

Resolution requesting the State Department of Social Services to allow the City and County to participate in the Transitional Housing Placement Program which will involve licensed private, nonprofit, or county operated facilities in providing transitional housing placement services to persons at least 17 years old, and not more than 18 years old; and requesting the Department of Human Services to submit a progress report to the Board of Supervisors in December, 1998. (Supervisors Brown, Bierman)

File 281-97-1, Resolution No. 1162-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed for Second Reading

[Waterfront Land Use Plan]

Ordinance amending Administrative Code to add maritime land uses, acceptable non-maritime land uses and unacceptable non-maritime land uses and define terms as required by Proposition H, 11/6/90. (Supervisor Yaki)

File 97-97-63, Ordinance No.

(Amends Sections 61.3, 61.4, 61.5 and 61.6.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

Adopted

[CEQA Findings, Waterfront Land Use Plan]

Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting findings, including a statement of overriding considerations, pursuant to the California Environmental Quality Act (CEQA) in connection with the General Plan text and boundary amendments, and amendments to the Planning Code and Zoning Map implementing the Waterfront Land Use Plan; companion measures to Files 97-97-63, 271-97-10.1, 271-97-10.2, 36-97-6, 115-97-15. (Planning Department)

File 271-97-10, Resolution No. 1161-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

Passed for Second Reading

[Waterfront Amendments to the General Plan]

Ordinance approving amendments to the Northeastern Waterfront Plan, Central Waterfront Plan, Commerce and Industry Element and Recreation and Open Space Element of the General Plan of the City and County; companion measure to Files 97-97-63, 271-97-10, 271-97-10.2, 36-97-6, 115-97-15. (Planning Department)

File 271-97-10.1, Ordinance No.

(Planning Commission Resolution No. 14467 dated 10/16/96, adopting amendments to the General Plan.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Waterfront Boundary Adjustments]

Ordinance approving amendments to the boundaries of the Northeastern Waterfront Plan and Central Waterfront Plan of the General Plan of the City and County to eliminate overlapping areas with the Downtown Plan, Rincon Hill Plan, South of Market Plan and South Bayshore Plan (Planning File No. 96.310M); companion measure to Files 97-97-63, 271-97-10, 271-97-10.1, 36-97-6, 115-97-15. (Planning Department)

File 271-97-10.2, Ordinance No.

(Planning Commission Resolution No. 14468 dated 10/16/97, adopting the boundary changes to the Northeastern and Central Waterfront Plans.)

(Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3).))

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Zoning Map Amendments - Waterfront]

Ordinance amending Planning Code by amending Sectional Map No. 1 SU of the Zoning Map of the City and County to reclassify property located on the west side of the Embarcadero between Jefferson and Bay Streets, all of Assessor's Blocks 15, 16, 17 and 35, from the Northern Waterfront Special Use District Number 1 to Waterfront Special Use District Number 3, to add property on the west side of the Embarcadero between Harrison and Berry Streets, all of Assessor's Blocks 3770, 3771, 3790, 3792 and 3801, Lot 1 in Assessor's Block 3769, to Waterfront Special Use District Number 3, and to add property on the east side of the Embarcadero from Pier 26 to China Basin, a portion of Assessor's Block 9900, to Waterfront Special Use District Number 1, all as generally shown on the maps attached as Exhibits A and B; companion measure to Files 97-97-63, 271-97-10, 271-97-10.1, 271-97-10.2, 115-97-15. (Planning Department)

File 36-97-6, Ordinance No.

(Planning Commission Resolution No. 14470 dated 10/16/97, approving proposed Zoning Map.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Planning Code Amendment - Waterfront]

Ordinance amending Planning Code to rename the Northern Waterfront Special Use Districts as the Waterfront Special Use Districts, to include piers within the definition of lots, to allow reductions in parking requirements within Waterfront Special Use Districts, to allow broader sponsorship for festivals and other celebrations eligible as temporary uses, to include waterborne commerce, navigation, fisheries and recreation uses as principal uses within M-1 and M-2 Districts, to create a Waterfront design review process and design advisory committee, to allow uses permitted or conditionally permitted by Planning Code Section 201 as principal uses and conditional uses, respectively, within Waterfront Special Use District Number 1 if the uses are included within the Waterfront land use plan, to modify criteria for conditional use approvals in Waterfront Special Use District Numbers 1 and 3; companion measure to Files 97-97-63, 271-97-10, 271-97-10.1, 271-97-10.2, 36-97-6. (Planning Department)

File 115-97-15, Ordinance No.

(Amend Sections 102.14, 124, 161, 205.1, 227, 240, 240.1, 240.2, 240.3, 263, 263.2 and 263.3.)

(Planning Commission Resolution No. 14469 dated 10/16/97, approving proposed Planning Code amendments and recommending adoption.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

Adopted

[Interim Zoning Controls, Ballpark Vicinity]

Resolution imposing interim zoning controls for a period of 18 months to establish the Ballpark Vicinity Special Use District, which would apply in the area bounded by Highway 80 and the Bay Bridge to the north, Fourth Street to the west, China Basin Channel to the south and San Francisco Bay to the east, excluding the Northeast China Basin Special Use District, the Mission Bay Districts and property under the jurisdiction of the Port Commission, and would require Planning Commission approval for certain enumerated uses and prohibit entirely other uses pending the adoption of permanent controls. (Supervisor Bierman)

File 111-97-4, Resolution No. 1151-97

(Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3).)

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Newsom, seconded by Supervisor Yaki, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisor Newsom - 1.

Absent: Supervisors Kaufman, Teng - 2.

Passed for Second Reading

[News-Gathering Vehicles]

Ordinance amending Traffic Code pertaining to exemptions for certain vehicles pertaining to display of vehicle press cards and providing for a new vehicle press card fee of \$50, and adding Section providing for specific locations for news-gathering vehicles to grant preferential parking privileges to members of the press when engaged in the gathering or photographing of news. (Supervisor Yaki)

File 124-97-5, Ordinance No.

(Amends Sections 11.3, 11.4; adds Section 11.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

Adopted

[Renaming Dale Place as Continuum Way]

Resolution renaming Dale Place, in its entirety, "Continuum Way" in honor of Continuum HIV Day Services' innovation and dedication serving those living with HIV disease or AIDS. (Supervisors Katz, Yaki, Ammiano, Leal)

File 75-97-2, Resolution No. 1148-97

Adopted by the following vote:

Monday, December 22, 1997

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Ammiano, Leal requested to be added as co-sponsors.

[Private Industry Council Refugee County Plan]

Resolution authorizing the Private Industry Council of San Francisco, Inc. to expend, retroactive to October 1, 1997, approximately \$106,973 of unspent funds and \$121,269 of targeted assistance 20% discretionary funds in line with the Refugee County Plan. (Private Industry Council)

File 156-97-3, Resolution No. 1154-97

Supervisor Brown Excused from Voting

Supervisor Brown requested to be excused from voting because of possible conflict of interest.

Supervisor Ammiano, seconded by Supervisor Bierman, moved to excuse Supervisor Brown from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Excused: Supervisor Brown - 1.

Absent: Supervisor Teng - 1.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public hearing]

Hearing of persons interested in or objecting to report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Sections 38.11, et seq. of the Administrative Code.

File 159-97-1

(December 8, 1997 - Consideration continued to December 22, 1997.)

The Clerk of the Board announced there is pending legislation referred to Rules Committee which would settle this matter. It is the recommendation of the Clerk and the City Attorney that this item be continued until February 17, 1998.

Supervisor Yaki, seconded by Supervisor Ammiano, moved to continue consideration to February 17, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

From Public Transportation Commission

Consideration Continued

[Delinquent Transfer Impact Development Fee]

Resolution confirming report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Sections 38.11, et seq. of the Administrative Code.

File 159-97-1, Resolution No.

(December 8, 1997 - Consideration continued to December 22, 1997.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved to continue consideration to February 17, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, public art for the blind;
Female speaker, property confiscated;
Leboriae P. Smoore, police brutality, elimination of constitution for poor people;
Male speaker, human rights issues;
Anna Magnani, Municipal Railway service;
Wayne Hoppi, oppose museum on war;
Shirley, conservator services.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commending the Omega Boys Club]

Resolution commending the Omega Boys Club for leading our youth away from violence and despair and towards peace, productivity and hope. (Supervisors Brown, Bierman, Katz, Medina, Kaufman)

File 6-97-217, Resolution No. 1147-97

(December 15, 1997 - Introduced in Board for consideration on December 22, 1997.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Designating Willie Mays Plaza]

Resolution urging the City Administrator to urge the Department of Public Works to initiate procedures to name the area in front of Pacific Bell Park's main King Street entrance Willie Mays Plaza. (Supervisors Brown, Katz, Medina)

File 75-97-3, Resolution No. 1149-97

(December 15, 1997 - Introduced in Board for consideration on December 22, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Discount Muni Fast Pass on BART]

Resolution urging the Public Transportation Commission to negotiate with BART to allow use of the discount fast pass for seniors and people with disabilities on BART trips within San Francisco. (Supervisors Ammiano, Brown, Katz, Medina)

File 80-97-1, Resolution No. 1150-97

(December 15, 1997 - Introduced in Board for consideration on December 22, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina requested to be added as co-sponsors.

[Street Construction Contamination Reduction]

Resolution decreasing the impact on school children of airborne particulate and toxic substances created by street construction during school commute hours. (Supervisors Katz, Brown, Medina)

File 211-97-6, Resolution No. 1160-97

(December 15, 1997 - Introduced in Board for consideration on December 22, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Domestic Partner Benefits-California State Univ.]

Resolution urging the California State University system to adopt domestic partner benefits throughout its 20-campus system. (Supervisors Katz, Bierman, Medina)

File 288-97-1, Resolution No. 1163-97

(December 15, 1997 - Introduced in Board for consideration on December 22, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 30-97-1.24

(December 15, 1997 - Introduced in Board for consideration on December 22, 1997.)

Adopted.

[Postal Service License Agreement - Authorization]

Resolution authorizing the Purchasing Department, on behalf of the City, to enter into License Agreement No. 475630-97-1-5177 with the United States Postal Service for the use of its FASTforward Technology and approving an indemnity clause, express waiver of direct damages, indemnification waiver for infringement of patent rights and waiver of various Administrative Code requirements. (Supervisors Newsom, Medina)

File 172-97-84, Resolution No. 1138-97

(December 17, 1997 - Referred to Board for consideration on December 22, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Parcel Map, UCSF Lone Mountain Campus]

Motion approving parcel map of University of San Francisco, Lone Mountain Campus, a Two Lot Subdivision Project, being a subdivision of Lot 3A in Assessor's Block No. 1107, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-35

(December 11, 1997 - Referred to Board for consideration on December 22, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Leal, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Immigrant Aid Reimbursement]

Resolution urging the Federal and State Governments to clarify to officials in the Immigration and Naturalization Service and all state agencies that demand repayment of benefits violates the stated policies of the INS and the State Department. Supervisors Medina, Leal, Brown, Bierman, Ammiano, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar January 5, 1998.

File 013-97-043.

[Lifeline Cable Rate]

Resolution urging the City's cable provider to institute an expanded lifeline cable rate for all recipients of federal, state or local cash maintenance programs, as provided in the January 22, 1997 Franchise Agreement with the City and County, and urging the City Attorney to investigate whether TCI may be liable to such low income subscribers for a rebate retroactive to date the franchise agreement was approved. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 5, 1998.

File 032-97-005.

Referred to Committee

[Funds, Local Law Enforcement Block Grant]

Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend a grant in the amount of \$2,796,944 from the U.S. Department of Justice to administer the Local Law Enforcement Block Grant program, and waiving indirect costs. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 068-97-009.

Referred to Board

[Democratic Convention in San Francisco]

Resolution urging the Democratic National Committee to select San Francisco as the site for the National Party Convention in the year 2000. Supervisors Katz, Teng, Newsom, Medina, Bierman, Ammiano, Kaufman, Yaki, Yee, Brown, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar January 5, 1998.

File 283-97-001.

Requests for Hearings:

[Tolerance Model Programs]

Hearing to consider proactive measures that encourage tolerance amongst different communities in order to educate others on development of model programs. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 291-97-001.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar January 5, 1998.

File 030-97-001.25.

Referred to Committee

[Off Site Board Meeting, March 2, 1998]

Motion ordering the March 2, 1998 meeting of the San Francisco Board of Supervisors to be held at the Sunnydale Housing Project Community Center, 1654 Sunnydale, in the Visitacion Valley Community. Supervisor Ammiano presented. Referred to Rules Committee.

File 054-97-012.

[Rules of Order, Audit Committee]

Motion amending the Rules of Order to revise the composition and duties of the Audit Committee of the Board of Supervisors (adds new Rule 6.20; renumbering; repeals Rule 5.7). Supervisors Kaufman, Leal, Brown, Yaki, Newsom, Katz, Bierman, Medina presented. Referred to Rules Committee.

File 056-97-007.

[Rules of Order, State/Federal Legislation]

Motion amending the Rules of Order to provide that copies of proposed State and Federal legislation shall be submitted with proposed resolutions which would support or oppose such legislation (adds Rule 2.34). Supervisor Newsom presented. Referred to Rules Committee.

File 056-97-008.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-128. [Lam v. CCSF, et al] Ordinance authorizing settlement of litigation of Hok Bew Lam against the City and County of San Francisco by payment of \$40,000. (Superior Court No. 978-098). (City Attorney) Referred to Rules Committee.

File 097-97-075. [Regional Transit Discount ID Card Fee] Ordinance amending Administrative Code by adding Section 8.39 thereto, imposing fees to process applications for new, renewed and lost Regional Transit Discount Identification Cards; companion measure to File 172-97-83. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

File 123-97-009. [Update of Public Works Code] Ordinance amending Article XX, Section 1000 of the San Francisco Public Works Code, which defines certain terms used in the Article, by removing obsolete reference to Fire Code in the definition given for "Hazardous Waste." (Clerk of the Board) Referred to Economic Development, Transportation and Technology Committee.

File 124-97-006. [Proof of Payment, Passenger Conduct Violations] Ordinance amending Traffic Code by amending Section 3.2 to redefine "streetcar"; by repealing Section 126 regarding boarding and alighting streetcars or vehicles and reenacting that provision in Section 128; by amending Section 127 to allow boarding of public transit vehicles through rear doors under some circumstances and to require transit passengers to display proof of payment of fares; by repealing and reenacting Section 128 to institute other passenger conduct violations; by amending Section 128.1 to impose penalties for violation of Sections 127 and 128; by adding Section 128-A to authorize fare inspectors; by repealing Section 129 regarding extorting in transit vehicles and reenacting that provision in Section 128; and stating the intent of the Board that funds from enforcement of Sections 127, 128 and Penal Code Section 640 be used to defray costs of the proof of payment program and that an audit be performed every three years. (Public Transportation Department) Referred to Housing and Neighborhood Services Committee.

File 172-97-019. [Amendment, Advertising Shelter Agreement] Substitute ordinance amending Third Amendment to Advertising Transit Shelter Agreement between City and County of San Francisco and Outdoor Systems, Inc. to maintain MUNI Metro Extension and F-Line boarding platforms in exchange for advertising on platforms and to expand transit shelter program. (Public Transportation Department) Referred to Finance Committee.

Resolutions Referred to Committee

File 025-97-018. [Prop J Contract, Janitorial/Landscape Contract] Resolution concurring with the Controller's certification that janitorial and landscape maintenance services at three Department of Parking and Traffic Office sites and twenty two neighborhood off-street parking facilities can be performed by private contractor for lower cost than similar services performed by City and County employees. (Department of Parking and Traffic) Referred to Finance Committee.

File 027-97-013. [Airline Lease Modification] Resolution approving Modification No. 13 of Lease and Use Agreement between United Air Lines, Inc. and City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) Referred to Finance Committee.

File 028-97-012. [Emergency Repair, Geary/23rd Avenue Sewer] Resolution approving expenditure of funds for emergency work to replace the structurally inadequate sewer at the intersection of Geary Boulevard and 23rd Avenue - \$55,783.27. (Public Utilities Commission) Referred to Finance Committee.

File 048-97-078. [Settlement of Claim, Dwight Jauch] Resolution approving the settlement of unlitigated claim of Dwight Jauch by payment of \$30,000.00. (City Attorney) Referred to Rules Committee.

File 049-97-003. [Settlement of Claim, Angelo and Yvonne Sangiacomo] Resolution approving the settlement of unlitigated claim of City and County of San Francisco against Angelo and Yvonne Sangiacomo for \$539,160.25. (City Attorney) Referred to Rules Committee.

File 064-97-022. [Lease Amendment, 1390 Market Street] Resolution authorizing an amendment of an existing lease of real property at 1390 Market Street for the Ethics Commission. (Real Estate Department) Referred to Finance Committee.

File 096-97-005. [Public Utilities Commission Land Sale] Resolution approving sale of land at Hamlin Court in Sunnyvale to W. Leslie Pello for the amount of \$728,000 and authorizing execution of agreement for sale of real estate, quitclaim deed, and declaration of covenants, conditions and restrictions and grant of easement. (Real Estate Department) Referred to Finance Committee.

File 148-97-006. [Grant - State Funds] Resolution authorizing retroactively the Director of Public Works to expend up to \$2,065,993 from the State of California for roadway work on City streets in accordance with the State-Local Transportation Partnership Program (8th Cycle) waiving indirect costs; placing \$1,561,936 on reserve. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 172-97-082. [Contract, DPH-UC Berkeley] Resolution authorizing the Director of Public Health to enter into a subcontract in the amount of \$11,359 with the Regents of the University of California (Berkeley), the primary contractor, to provide data and consultation study of the cultural appropriateness of the instruments and approaches being used by Community Mental Health Services (CMHS) to measure client outcomes and satisfaction; retroactive to July 1, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-083. [Regional Transit Discount Card Program] Resolution authorizing an indemnity provision in agreement regarding implementation of the Regional Transit Discount Program, among the City and County of San Francisco, the Metropolitan Transportation Commission, and the Bay Area Rapid Transit District; companion measure to File 97-97-75. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that letter be sent to Director, Department of Parking and Traffic, concerning traffic and pedestrian safety problems on San Bruno Avenue in and around the intersection of San Bruno and Bacon, requesting comprehensive study of this location and as an interim measure, the feasibility of installing stop signs in both directions of San Bruno traffic flow at the intersection of San Bruno and Burrows.

By Supervisor Yee, that letters be sent to Director, Department of Parking and Traffic and General Manager, Municipal Railway, to determine the feasibility of creating parking garages on the City's outskirts for commuters to park their cars and take "express" public transportation downtown.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Isa Leah Cymrot-Wu (Supervisor Katz)
Shirley Cohelan Burton (By the entire Board)
Noela Wong (Supervisor Teng)
James Stanley Downey (Supervisor Yee)
Gauri Govil (Supervisor Medina)

File 2-97-49

Unanimously adopted by a rising vote.

Monday, December 22, 1997

ADJOURNMENT

There being no further business, the Board at the hour of 3:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 17, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



